



WEB COPY



W.P. No. 10474 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 10474 of 2023

and

W.M.P. Nos. 10420, 10421 and 10423 of 2023

C.N. Natarajan

... Petitioner

-VS-

1. Tamil Nadu State Transport Corporation (Coimbatore) Ltd.,
Rep. by its Managing Director,
37, Mettupalayam Road,
Coimbatore – 641 043.
2. The General Manager,
Tamil Nadu State Transport Corporation (Coimbatore) Ltd.,
Coimbatore Region,
37, Mettupalayam Road,
Coimbatore – 641 043.
3. The Branch Manager,
Tamil Nadu State Transport Corporation (Coimbatore) Lt.,
Head Office Branch,
37, Mettupalayam Road,
Coimbatore – 641 043.
4. The Dean,
Government Medical College Hospital,
Coimbatore.

... Respondents



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Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First to Third Respondents to provide the Petitioner suitable alternative employment, on permanent basis, in commensurate with the Petitioner health condition, with continuity of service, pay protection, backwages and other service benefits with effect from 28.11.2022.

For Petitioner : Ms. V.Porkodi

For Respondents : Mr. A.Vinothraj (for R1 to R3)

Mrs. R.Anitha (for R4)

ORDER

Heard Ms. V.Porkodi, Learned Counsel for the Petitioner, Mr. A.Vinothraj, Learned Counsel for the First to Third Respondents and Mrs. R.Anitha, Learned Counsel for the Fourth Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. Though the Writ Petition has been filed for directing the First to Third Respondents to provide suitable alternative employment to the Petitioner on permanent basis in commensurate with his health condition and with continuity of service, pay protection, backwages and other service benefits with effect



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from 28.11.2022, Learned Counsel for the Petitioner submits that the Petitioner would be satisfied, if the representations dated 14.12.2022, 25.01.2023 and 13.03.2023 made by him in that regard is directed to be disposed by the concerned authority within the time limit that may be fixed by the Court.

3. Having regard to the limited scope of the relief sought in the Writ Petition, this Court without expressing any view on the merits of controversy involved, passes the following order:-

- (i) the concerned authority shall immediately examine the representations dated 14.12.2022, 25.01.2023 and 13.03.2023 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 15 days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner to explain his position in that regard;
- (iv) a reasoned order shall be passed dealing with each of the contentions



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raised on merits and in accordance with law and the decision taken communicated by 31.08.2023 under written acknowledgment;

- (v) if the Petitioner is found entitled to any monetary benefits, the same shall be paid along with working-sheet showing its calculation within a period of three months from the date of passing of that order; and
- (vi) the report of such compliance shall be filed before the Registrar (Judicial) of this Court.

In the result, the Writ Petition is disposed on the aforesaid terms.

No costs.

05.04.2023

skr

Index: Yes/No

Neutral Citation: Yes/No

Note: Issue order copy by 05.06.2023

To

1. The Managing Director,
Tamil Nadu State Transport Corporation (Coimbatore) Ltd.,
37, Mettupalayam Road,
Coimbatore – 641 043.



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2. The General Manager,
Tamil Nadu State Transport Corporation (Coimbatore) Ltd.,
Coimbatore Region,
37, Mettupalayam Road,
Coimbatore – 641 043.
3. The Branch Manager,
Tamil Nadu State Transport Corporation (Coimbatore) Lt.,
Head Office Branch,
37, Mettupalayam Road,
Coimbatore – 641 043.
4. The Dean,
Government Medical College Hospital,
Coimbatore.

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.



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P.D. AUDIKESAVALU, J.

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