



W.P.No. 31558 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2023

CORAM

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

W.P. No. 31558 of 2022

D.C. Robinson

... Petitioner

-VS-

M/s. State Express Transport Corporation Ltd.,
Rep. By its Managing Director,
No.2, Pallavan Salai,
Chennai – 600 002.

... Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus directing the respondent herein to take the service of the petitioner herein from 01.09.1991 as continuity of service vide respondent order dated 11.01.2001 by fixing petitioner's scale of pay of Rs.540-10-680 w.e.f. 01.09.1991 and implement the order of Principal Labour Court, Chennai dated 22.09.2010 in I.D.No.818 of 2001 as continuity of service without back wages by considering the representations of the petitioner dated 01.10.2012, 04.10.2013, 10.07.2014, 06.08.2015, 05.05.2016, 27.11.2017 and 17.02.2022.

For Petitioner	: Mr. D.Soundar Raj
For Respondents	: Mr. Sivasubramani Standing Counsel

ORDER

Heard Mr. D.Soundar Raj, Learned Counsel for the Petitioner and Mr. Sivasubramani, Learned Standing Counsel for the Respondent and perused the materials placed on record, apart from the pleadings of the parties.



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2. The grievance ventilated by the Petitioner is that he had made representations dated 01.10.2012, 04.10.2013, 10.07.2014, 06.08.2015, 05.05.2016, 27.11.2017 and 17.02.2022 to implement the order dated 22.09.2010 in I.D. No. 818 of 2001 passed by the Principal Labour Court, Chennai to consider his service from 01.09.1991 as continuity of service without backwages, but as it did not evoke any response, he has filed this Writ Petition.

3. Having regard to the limited nature of relief sought, this Court without expressing any view on the correctness or entitlement of the claim made by the Petitioner, passes the following order:-

- (i) the concerned authority shall immediately examine the representations dated 01.10.2012, 04.10.2013, 10.07.2014, 06.08.2015, 05.05.2016, 27.11.2017 and 17.02.2022 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;



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- WEB COPY (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 raised on merits and in accordance with law and the decision taken communicated by 31.08.2023 under written acknowledgment; and
- (v) the report of such compliance shall be filed before the Registrar (Judicial) of this Court.

In fine, the Writ Petition is disposed on the aforesaid terms. No costs.

17.03.2023

Sgl/maya
Index: Yes/No

Note: Issue order copy by 02.06.2023.

To

M/s. State Express Transport Corporation Ltd.,
Rep. By its Managing Director,
No.2, Pallavan Salai,
Chennai – 600 002.



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P.D. AUDIKESAVALU, J.

Sgl/maya

Copy to

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

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