



W.P.(MD)No.4253 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.4253 of 2023

S.Sivaraj

... Petitioner

Vs.

1. The Inspector of Labour,
Madurai.

2. The Management,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Represented by its Managing Director,
Madurai.

3. The General Manager,
Tamil Nadu Transport Corporation (Madurai) Limited,
Madurai Region,
Madurai.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents 2 and 3 to comply with the order of the first respondent dated 11.10.2021 passed in C.P.S.No.14 of 2018 and to give the petitioner wages and other consequential / attendant benefits payable to the permanent workman /



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driver with effect from 14.09.2016, i.e., date on which he attained permanent status as per the order of the first respondent.

For Petitioner : Mr.S.Arunachalam

For Respondents : Mrs.K.Christy Theboral
Additional Govt. Pleader for R1
Mr.S.Gladson Micheal Rajadurai
Standing Counsel for TNSTC
for R2 and R3

O R D E R

This Writ Petition has been filed for a direction to the respondents 2 and 3 to comply with the order of the first respondent dated 11.10.2021 passed in C.P.S.No.14 of 2018 and to give the petitioner wages and other consequential / attendant benefits payable to the permanent workman / driver with effect from 14.09.2016, i.e., date on which he attained permanent status as per the order of the first respondent.

2. The case of the petitioner is that the petitioner has been working as a Driver from 13.05.2015 in the third respondent. Since the petitioner has attained permanent status with effect from 14.09.2016 as



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ordered by the first respondent, vide order dated 11.10.2021, the second respondent should treat him as permanent employee for all benefits. But, the respondents 2 and 3 failed to give the benefits to the petitioner from 14.09.2016, in spite of his representation dated 17.05.2022. Hence, the petitioner has filed the present Writ Petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the respondents are directed to consider the petitioner's representation dated 17.05.2022, on merits and in accordance with law, within a specified period.

4. The learned counsel appearing for the respondents has no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the respondents to consider the petitioner's representation dated 17.05.2022 and pass appropriate orders, on merits and in accordance with law, within a



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period of twelve weeks from the date of receipt of a copy of this order, if there is no legal impediment.

6. With the above direction, this Writ Petition is disposed of. No costs.

01.03.2023

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji

To

1. The Inspector of Labour,
Madurai.
2. The Managing Director,
The Management,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Madurai.
3. The General Manager,
Tamil Nadu Transport Corporation (Madurai) Limited,
Madurai Region,
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