



W.P.(MD).No.25673 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.11.2023

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD).No.25673 of 2023

P.Chinnavel

... Petitioner

Vs.

1.The General Manager,
Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
Vannarapettai,
Tirunelveli-3.

2.The Branch Manager,
Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
Tirunelveli By-pass Branch,
Vannarapettai,
Tirunelveli-3.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation, dated 27.09.2023 and give employment in maintaining Employees Attendance Register Work in the Transport Corporation.

For Petitioner : Mr.K.Guhan



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For Respondents : Mr.K.Ramaiah
Standing Counsel

ORDER

The present writ petition has been filed by a Conductor, who is working in the respondent Transport Corporation seeking a Mandamus directing the respondents to consider his request of allotting employees attendance register work.

2. According to the learned Counsel appearing for the writ petitioner, the petitioner met with an accident on 16.07.2010 and he has suffered a disability and in view of the same, he is not in a position to work as a Conductor. The petitioner was granted alternative employment in ticket and cash Section. Since the Corporation had directed him to work 16 hours night duty, the petitioner was not able to continue the said work. Therefore, he had applied for medical leave and he was issued with a charge memo on 16.09.2023 on the ground that he had refused to work in the employees attendance register work.



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3. When this writ petition came up for admission, the learned Counsel appearing for the respondent Corporation informed that the petitioner has not shown any willingness to do the work of attendance register work. Hence, this Court has directed the writ petitioner to file an undertaking affidavit to the effect that he is ready to work in maintaining employees attendance register work. Paragraph No.3 of the said undertaking affidavit is extracted as follows:

"3. I humbly submit that I am ready to work in maintaining employees attendance register work in the respondents Transport Corporation."

4. In view of the above said undertaking affidavit filed by the writ petitioner, the respondents are directed to allot employees attendance register work to the writ petitioner in the respondent Transport Corporation and extract work from him. The petitioner is directed to co-operate with the Management.

5. With the above said observation, this writ petition stands allowed to the extent as stated above. There shall be no order as to costs.

06.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR



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R.VIJAYAKUMAR, J.

BTR

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