



W.P(MD)Nos.28679 & 28684 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.12.2023

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)Nos.28679 & 28684 of 2023

G.Ajitha Kumar

... Petitioner in
W.P(MD)No.28679 of 2023

R.Jaya Prasad

... Petitioner in
W.P(MD)No.28684 of 2023

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
Tirunelveli,
Tirunelveli District.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
Nagercoil Region,
Ranithottam,
Kanyakumari District.

... Respondents

Prayer in W.P(MD)No.28679 of 2023 : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent herein to issue petitioner the regularization of service as Conductor with retrospective effect, dated 22.12.2010 instead of



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23.05.2013 with par to that of regularization order issued to the similarly placed persons who were appointed along with petitioner as Reserve Conductor by the second respondent herein, dated 14.05.2008 and to grant seniority in service with all service and monetary benefits legally entitled to petitioner on the basis of his representation made before the first respondent herein by RPAD, dated 06.11.2023.

Prayer in W.P(MD)No.28684 of 2023 : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent herein to issue petitioner the regularization of service as Conductor with retrospective effect, dated 22.12.2010 instead of 30.06.2013 with par to that of regularization order issued to the similarly placed persons who were appointed along with petitioner as Reserve Conductor by the second respondent herein, dated 14.05.2008 and to grant seniority in service with all service and monetary benefits legally entitled to petitioner on the basis of his representation made before the first respondent herein by RPAD, dated 15.11.2023.

In Both Cases:

For Petitioners : Mr.B.Brijesh Kishore

For Respondents : Mr.D.Jebaraj
Standing Counsel



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COMMON ORDER

The present writ petitions have been filed by Conductors of the respondent Transport Corporation seeking retrospective regularisation from 22.12.2010 on par with their other batch mates.

2. A perusal of the typed set of papers indicate that the petitioner (Ajitha Kumar) along with one Sakthi Kumar and Jaya Prasad were appointed as a Reserve Conductor on 14.05.2008 temporarily. Thereafter, the petitioner's (Ajitha Kumar) services were regularised by an order, dated 15.11.2013 with effect from 23.05.2013. The services of one Jaya Prasad were regularised by an order, dated 05.12.2013 with effect from 30.06.2013.

3. The petitioner has produced the pay slip of one Sakthi Kumar to indicate that his services have been regularised with effect from 22.12.2010. Hence, the petitioners seeks regularisation with effect from the said date on par with the said Sakthi Kumar.



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4. Based upon the above said request, the petitioner, namely, Ajitha Kumar has given a representation to the first respondent on 06.11.2023 and another petitioner, namely, Jaya Prasad has given a representation on 15.11.2023 to the first respondent. Since there is no response from the first respondent, the present writ petition has been filed.

5. Considering the above said facts, the first respondent herein is directed to pass orders on the representations given by both the petitioners on merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. With the above said direction, both these writ petitions stand disposed of. There shall be no order as to costs.

05.12.2023

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



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