



*W.P(MD)No.29204 of 2023*

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2023

CORAM

**THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.29204 of 2023**

K.Ilayaraja

... Petitioner

Vs.

1.The Managing Director,  
Tamil Nadu State Transport Corporation  
(Madurai) Ltd.,  
Madurai,  
Madurai District.

2.The General Manager,  
Tamil Nadu State Transport Corporation  
(Madurai) Ltd.,  
Madurai Division,  
Madurai.

3.The Branch Manager,  
Tamil Nadu State Transport Corporation  
(Madurai) Ltd.,  
Madurai Division,  
Madurai.

... Respondents

**PRAYER :** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to consider the absence of the petitioner dated 05.09.2023 and 14.09.2023 as eligible leave period and to pay the salary for the leave periods to the petitioner based on the representation of the



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petitioner, dated 17.10.2023.

For Petitioner : Mr.R.Thirupathi

For Respondents : Mr.K.Ramaiah  
Standing Counsel

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### **ORDER**

The present writ petition has been filed by a Driver of the respondent Transport Corporation seeking a Mandamus as against the respondents to treat 05.09.2023 and 14.09.2023 as eligible leave period and should not treat it as an absent.

2. According to the writ petitioner, on the above said dates, he could not operate the vehicle in view of the fact that Conductor was not available. Hence, he has sent a representation to the 3<sup>rd</sup> respondent on 17.10.2023 to treat these 2 days as duty period and not as absent. Since the said representation has not been considered, the present writ petition has been filed.

3. Considering the above said facts, the 3<sup>rd</sup> respondent herein is directed to consider the representation of the writ petitioner, dated 17.10.2023 and pass orders on merits and in accordance with law within



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a period of twelve (12) weeks from the date of receipt of copy of this order.

4. With the above said observations, this Writ Petition stands disposed of. No costs.

**11.12.2023**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
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To

1.The Managing Director,  
Tamil Nadu StateTransport Corporation  
(Madurai) Ltd.,  
Madurai,  
Madurai District.

2.The General Manager,  
Tamil Nadu State Transport Corporation  
(Madurai) Ltd.,  
Madurai Division,  
Madurai.

3.The Branch Manager,  
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**R.VIJAYAKUMAR,J.**

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Order made in  
W.P(MD)No.29204 of 2023

Dated:  
11.12.2023