



WEB COPY



W.P. No. 17557 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2024

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P. No. 17557 of 2018

and

W.M.P. No. 20826 of 2018

T. Pazhanisamy

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation,
Villupuram Limited,
Villupuram.

2.The General Manager,
Tamil Nadu State Transport Corporation,
Villupuram Limited,
Villupuram.

3.The District Manager,
Tamil Nadu State Transport Corporation,
Villupuram Limited,
Villupuram.

... Respondents

Writ petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents to regularise the petitioner's service and post the petitioner on duty under the region of the respondents based upon his representation dated 15.05.2018.

For Petitioner : Mr. A. Manojkumar

For Respondents : Mr. M. Aswin,
Standing Counsel

ORDER



Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents-Transport Corporation and carefully perused the materials available on record.

2. In the present writ petition, the petitioner is seeking to regularise his service and post him on duty based on his representation dated 15.05.2018.

3. On behalf of the respondents, a counter affidavit has been filed, wherein it is averred that the petitioner was selected for the temporary post of reserve Driver and admitted for training on the basis of the records of Superintendent of Police, Villupuram, wherein it is that no criminal records against the petitioner as on 02.03.2015. But thereafter, the respondents received an information that a criminal case has been registered against the petitioner in Crime No. 33 of 2015 and based on the information, the respondents informed the petitioner that he will be considered for the post of reserve Driver, only after closure of the criminal case against him. When the petitioner approached the respondents, there are no vacancies available for the reserve Driver post and as such, there is no possibility to engage him as reserve Driver.



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4. Learned counsel appearing on both side advanced their arguments based on the averments made in the affidavit filed in support of the writ petition and the counter affidavit filed by the respondents.

5. Having considered the same and in view of the facts and circumstances of the case, in the considered opinion of this Court, this Writ Petition can be disposed of, without going into the merits of the case, with a direction to the respondents to consider the representation of the petitioner dated 15.05.2018 to take appropriate decision, to meet the ends of justice, as already, the said representation is pending with the respondents.

6. Accordingly, this Writ Petition is disposed of, with a direction to the respondents to examine the representation dated 15.05.2018 submitted by the petitioner and take appropriate decision and communicate the same to the petitioner, within a period of four weeks from the date of receipt of copy of this order. The petitioner is at liberty to make further representation to the respondents with changed circumstances.



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7. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

22.10.2024

Index :Yes/No

Neutral Citation :Yes/No

AT

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BATTU DEVANAND, J.

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