



WEB COPY

W.P.No.22770 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.08.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.22770 of 2024

C.Kumar

...

Petitioner

versus

1.The Managing Director,
Tamil Nadu State Transport Corporation (Salem Division),
Head Office,
No.12, Ramakrishna Road,
Salem - 636 007.

2.The General Manager,
Tamil Nadu State Transport Corporation (Salem Division),
Salem - 636 007.

3.The Branch Manager,
Tamil Nadu State Transport Corporation (Salem Division),
Mettur Branch,
Salem - 636 401.

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to confirm the petitioner service from 06.10.2009 instead of 01.09.2014 the date on which the petitioner has completed 240 days of service in a year with all consequential benefits.



For Petitioner : Mr.R.Jaikumar
For Respondents : Mr.M.Aswin
Standing Counsel

ORDER

The Writ Petition has been filed seeking a writ of mandamus, to direct the respondents to confirm the petitioner's service from 06.10.2009 instead of 01.09.2014 the date on which the petitioner has completed 240 days of service in a year with all consequential benefits.

2. Mr.R.Jaikumar, learned counsel for the petitioner submitted that as per Section 12(3) settlement held between the workers and the management during 13th September 1992, on completion of 240 days of continuous actual work within a period of one year, they are entitled to confirmation. Despite the same, the petitioner's representation in this regard has not been considered so far.

3. The grievance of the petitioner is that he was confirmed only on 01.09.2014, despite he had the eligibility for confirmation as early as on 06.10.2009. The petitioner has filed this writ petition only in terms of Section 12(3) Settlement.



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4. In view of the same, the respondents are directed to consider the representation of the petitioner dated 02.04.2024 and pass appropriate orders in terms of Section 12(3) settlement, within a period of two weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is **disposed**. No costs.

27.08.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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R.N.MANJULA, J.

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