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Writ Petition No.28784 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.10.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.28784 of 2024

E.Dhatchinamoorthy
S/o.Egambaram

... Petitioner

Vs.

1.The Chairman PRTC/Secretary (Transport),
Puducherry Road Transport Corporation Ltd,
Puducherry - 605 001.

2.The Managing Director,
Puducherry Road Transport Corporation Ltd.,
Raja Nagar, Puducherry - 605 013.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents to issue 2nd MACP and 3rd MACP and revised increment order to the petitioner and consequently pay the arrears amount to the petitioner within the time frame stipulated by this Court.

For Petitioner : Mr.S.Lakshmi Narayanan

For Respondents : Mr.R.Sreedhar
Additional Government Pleader (Pondy)



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ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the respondents to consider the representations made by the petitioner on 25.07.2024 and 29.07.2024 and to issue 2nd MACP and 3rd MACP and revised increment order in favour of the petitioner.

2. Heard Mr.S.Lakshmi Narayanan, learned counsel for petitioner and Mr.R.Sreedhar, learned Additional Government Pleader (Pondy) appearing for respondents.

3. The case of the petitioner is that he was initially appointed as a daily-rated conductor by the Puducherry Road Transport Corporation Ltd. in the year 1991. Thereafter, in the year 1994, the service of the petitioner was regularized and he was absorbed into service of the corporation as a conductor as per the proceedings dated 07.06.1994. Thereafter, on 24.07.2006, the petitioner was granted the 1st MACP (Modified Assured Career Progression Scheme).



4. There was some criminal case instituted against the petitioner which resulted in the petitioner facing trial in C.C.No.166 of 2013 on the file of Judicial Magistrate II, Puducherry. Ultimately, the petitioner was acquitted from all the charges by judgment dated 27.02.2024.

5. The grievance of the petitioner is that he had put in more than 30 years of service and he retired from service on 29.07.2024. The petitioner claims to be entitled to 2nd MACP and 3rd MACP along with revised increment and for other consequential benefits. The representation made by the petitioner in this regard did not evoke any response. Hence, the present writ petition has been filed before this Court seeking for appropriate directions.

6. Taking into consideration the facts and circumstances of the case and after going through the materials available on record, there shall be a direction to the second respondent to deal with the representation made by the petitioner on 29.07.2024 on its own merits and in accordance with law and a decision shall be taken within a period of eight (8) weeks from the date of receipt of a copy of this order.



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N.ANAND VENKATESH, J

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7. The petitioner is directed to submit a fresh representation to the second respondent along with all relevant documents and also a copy of this order.

This writ petition is disposed of with the above direction. No costs.

01.10.2024

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order

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To

1.The Chairman PRTC/Secretary (Transport),
Puducherry Road Transport Corporation Ltd,
Puducherry - 605 001.

2.The Managing Director,
Puducherry Road Transport Corporation Ltd.,
Raja Nagar, Puducherry - 605 013.

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