



W.P.No.34125 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2024

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.34125 of 2024

C.Balachandar

... Petitioner

Versus

1. The State of Tamilnadu
Rep. By its Secretary to Government,
Transport Department, Secretariat
Fort St. George, Chennai – 600 009

2. The Chairman,
The Tamilnadu State Transport
Corporation, Secretariat,
Chennai – 600 009

3. The Managing Director,
The Tamilnadu State Transport
Corporation (Coimbatore)
Limited, Head Office,
No.37, Mettupalayam Road,
Coimbatore – 641 043

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the 3rd respondent to consider the petitioner's representation dated 08.07.2024 within the time fixed by this Court.



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For Petitioner : M/s.S.Vasavi Sridevi

For Respondents : Mr.Yogesh Kannadasan for R1 and R2
Mr.C.Gauthamaraj for R3

ORDER

This petition is filed for an issuance of a Writ of Mandamus directing the 3rd respondent to consider the petitioner's representation dated 08.07.2024 within the time fixed by this Court.

2. According to the petitioner, he joined the services of the respondent Corporation in the year 1993 as a trainee and his services were regularised and promoted as Assistant Engineer in the year 2000. Subsequently, the petitioner was conferred with selection trade and is discharging the functions of senior assistant engineer (selection grade). The petitioner was suffering from cervical spondylosis, hence for continuous treatment, the petitioner was on medical leave since 16.11.2018, thereafter, the petitioner was sent to medical board for examination of fitness and on 18.02.2019, the petitioner appeared before Regional Medical Board, Coimbatore Medical College Hospital, Coimbatore and issued fitness certificate and allowed to join on 19.02.2019. The respondent department, unilaterally passed an order



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that the medical leave of 55 days from 16.11.2018 to 09.01.2019 was not justified and ordered to deduct Rs.1,91,125/- from petitioner's salary in 10 instalments by order dated 29.08.2019. Therefore, the petitioner has submitted the representation, however, the same has not been considered. The petitioner has been repeatedly transferred for 16 times, since the year 2010 and the petitioner was awarded with unnecessary punishments repeatedly with 37 memos with malacious motives, hence this petition.

3. The learned counsel appearing for the petitioner submits that it would suffice if the respondents are directed to consider the representation of the petitioner dated 08.07.2024 within a period stipulated by this Court.

4. Heard the learned Additional Government Pleader appearing for the respondents 1 and 2 and the learned counsel appearing for the 3rd respondent on the submissions of the petitioner.

5. Considering the facts and circumstances of the case without going into the merits of the matter, this Court hereby directs the



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respondents to consider the representation of the petitioner dated 08.07.2024 within a period of four weeks from the date of receipt of copy of this order.

In view of the above, the Writ Petition is disposed of. No costs.

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Index : Yes/No
Internet: Yes / No
Speaking order : Yes/No
ssd

To

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V.BHAVANI SUBBAROYAN, J.

ssd

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