



W.P.(MD)No.15404 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.07.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.15404 of 2024

K.Sreekumar

... Petitioner

Vs.

- 1.The Managing Director,
Tamil Nadu State Transport Corporation (Tirunelveli Limited),
Tirunelveli,
Tirunelveli District
- 2.The General Manager,
Tamil Nadu State Transport Corporation (Tirunelveli Limited),
Nagercoil Region,
Ranithottam,
Kanyakumari District
- 3.The Branch Manager,
Tamil Nadu State Transport Corporation (Tirunelveli Limited),
Nagercoil Region,
Kuzhithurai Branch-II,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 herein to disburse the arrears of the salary and all other service and monetary benefits payable to the petitioner from 28.01.2023 to 02.03.2024 in the light of the final



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order passed by this Honble Court in W.P.(MD.No.21400 of 2023, dated 23.02.2024, by considering the petitioner's representation made before the respondents by RPAD dated 09.04.2024.

For Petitioner : Mr.B.Brijesh Kishore

For Respondents : Mr.D.Jebaraj,
Standing Counsel

ORDER

By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. Heard Mr.B.Brijesh Kishore, learned counsel appearing for the petitioner and Mr.D.Jebaraj, learned Standing Counsel appearing for the respondents.

3. The petitioner has filed this Writ Petition seeking a direction to respondent Nos.1 to 3 herein to disburse the arrears of salary and all other service and monetary benefits payable to the petitioner from 28.01.2023 to 02.03.2024 in the light of the final order passed by this Court in W.P.(MD.No. 21400 of 2023, dated 23.02.2024, by considering the petitioner's representation made before the respondents by RPAD dated 09.04.2024.



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4. Earlier, the petitioner has filed W.P.(MD).No.21400 of 2023 before this Court for directing the first respondent to refer the petitioner to the Medical Board for fixing his disability and obtain a report. On 23.02.2024, this Court disposed of the above said Writ Petition and directed the Medical Board to immediately issue an assessment report on or before 28.02.2024. Subsequent to that, the petitioner appeared before the Medical Board and the Medical Board has certified that the petitioner has got Chronic Kidney Disease-Stage V and he is not fit to continue as a Driver / Conductor. Pursuant to that, the petitioner seems to have given with an alternative employment from 03.03.2024. But, however, the grievance of the petitioner is that he has not been given with salary for the period from 28.01.2023 to 02.03.2024. The petitioner has given a representation to the respondents on 09.04.2024. Since the same has not been considered, the petitioner has filed this Writ Petition.

5. Even though the petitioner had relied on the earlier order of this Court in W.P.(MD).No.21400 of 2023, it does not state anything about the period for which the petitioner was out of service.

6. Since the petitioner's application has been kept pending without any further orders, the first respondent is directed to consider the representation of



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the petitioner dated 23.02.2024 and pass appropriate orders on merits and in accordance with law within a period of two weeks from the date of receipt of a copy of this order.

7. Accordingly, the Writ Petition is disposed of. No costs.
Consequently, the connected miscellaneous petition is closed.

11.07.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
TSG



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R.N.MANJULA, J.

TSG

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