



W.P.(MD).No.24920 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.24920 of 2024

V.Suresh

... Petitioner

VS

1.The Management of
Tamil Nadu State Transport Corporation (KMS) Ltd.,
27, New Railway Station Road,
Kumdakonam – 612 001.

2.The General Manager,
Tamil Nadu State Transport Corporation (KMS) Ltd.,
Pudukottai Region,
Thirumayam Road,
Pudukotai,

3.The Special Joint Commissioner,
Chennai – 600 006.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents to pay petitioner last drawn monthly wages as per Sec 17(b) Industrial dispute Act 1947 on the base of the petitioner's representation dated 09.08.2024.



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For Petitioner : Mr.K.Gokul

For Respondents : Mr.K.Ramiah
Standing Counsel

ORDER

The instant Writ Petition has been filed by a Conductor of the respondents Transport Corporation, seeking mandamus for directing the respondents to reinstate the petitioner in service with the continuity of service along with backwages from the date of suspension i.e,27.02.2022.

2. Though the above said prayer has been prayed for in the affidavit, a wrong prayer has been enclosed by way of Writ Petition. Therefore, this Court proceeds to decide this Writ Petition on the basis of the prayer sought for in the affidavit.

3. It is an admitted fact that the petitioner was suspended from 27.02.2022 and later, he was dismissed. However, the dismissal order was not approved by the third respondent herein and it was rejected on 29.04.2024. So far, the respondents 1 and 2 have not challenged the order of the non-approval



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order issued by the third respondent herein on 29.04.2024. The petitioner has given a representation on 09.08.2024 to the respondents 1 and 2 herein to reinstate him into service and to pay his salary. However, no orders have been passed in the said representation.

4. In view of the above said facts, the respondents 1 and 2 are directed to consider the representation of the petitioner dated 09.08.2024 and pass orders on merits and in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order.

5. This Writ Petition stands disposed of, with above directions. No costs.

22.10.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
apd

To

1.The Management of
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2.The General Manager,
Tamil Nadu State Transport Corporation (KMS) Ltd.,
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R.VIJAYAKUMAR,J.

apd

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