

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2025

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CORAM :

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.17031 of 2012
and M.P.No.1 of 2012

V.Radhakrishnan

...Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation,
Kumbakonam Division,
Kumbakonam.

2. The General Manager,
Tamil Nadu State Transport Corporation,
Kumbakonam Division 1,
Kumbakonam.

...Respondents

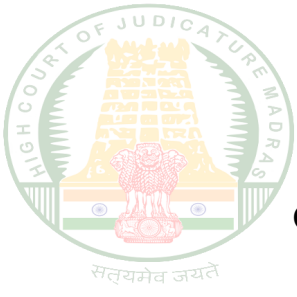
Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondent to reinstate the petitioner as conductor, Kumbakonam Division I as per the final award of the Labour Court, Cuddalore dated 30.03.2011 in ID No.31 of 2007 with benefits from that date as per the petitioner's representation dated 06.06.2011.

For Petitioner : Petitioner died

For Respondents : Mr.Murali Vinod

ORDER

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On the earlier occasion, the learned counsel for the petitioner has not appeared before this Court and hence, this Court ordered notice to the petitioner. The said notice was returned with an endorsement that the petitioner died.

2. The petitioner has filed this Writ petition seeking a direction to the respondents to reinstate the petitioner as conductor, Kumbakonam Division I as per the final award of the Labour Court, Cuddalore dated 30.03.2011 in ID No.31 of 2007 with benefits from that date as per the petitioner's representation dated 06.06.2011.

3. When the matter is taken up for hearing, the learned counsel for the respondents submitted that the petitioners representation will be considered and appropriate orders will be passed within the stipulated time as fixed by this court.

4. On perusal of the award passed by the Labour Court, it is seen that for unauthorized work, the petitioner was dismissed from service by the respondent. Thereby, the petitioner raised Industrial Dispute. The Labour



passed an order for reinstatement with continuity of service without any backwages.

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5. Considering the fact that during pendency of the writ petition, the petitioner died and the legal heirs have not come forward to defend their case. However, the petitioner has also not challenged the award of the Labour Court and he has filed only a Mandamus and there is question of reinstatement as he passed away.

6. In view of the factual position, this court directs the respondent to consider the petitioners representation dated 06.06.2011 within a period of four weeks from the date of receipt of a copy of this order and also directs the respondents to pay the terminal benefits to the legal heirs of the petitioner, if there is no legal impediment.

M.DHANDAPANI, J.

rli

7. With the above directions, this Writ Petition stands disposed of. No



costs. Consequently, the connected Miscellaneous petitions are closed.

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06.02.2025

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NCC : Yes/No

Index : Yes/No

Speaking Order : Yes/No

To:

1. Labour Court, Cuddalore.

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