



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2025

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THE HONOURABLE MRS.JUSTICE V. BHAVANI SUBBAROYAN

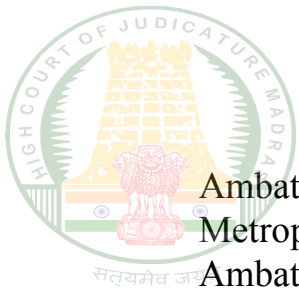
W.P.No.36770 of 2024

Devaraj

... Petitioner

-Vs-

1. The Managing Director
Metropolitan Transport Corporation Ltd.,
Pallavan Salai,
Chennai 600 002.
2. The Assistant Branch Manager (Traffic)
Ambattur Depot
Metropolitan Transport Corporation Ltd.,
Ambattur, Chennai 600 058.
3. The Assistant Branch Manager (Law)
Ambattur Depot
Metropolitan Transport Corporation Ltd.,
Ambattur, Chennai 600 058.
4. The Conductor Secretary,
Ambattur Depot
Metropolitan Transport Corporation Ltd.,
Ambattur, Chennai 600 058.
5. The Superintendent
Ambattur Depot
Metropolitan Transport Corporation Ltd.,
Ambattur, Chennai 600 058.
6. The Controller – Section II



Ambattur Depot
Metropolitan Transport Corporation Ltd.,
Ambattur, Chennai 600 058.

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... Respondents

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Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondents to consider and pass orders on the requests made in the representation dated 28.10.2024 of the petitioner.

For Petitioner : Mr.K.Venkatesan

For Respondents : Mr.A.Vinothraj
Standing Counsel

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus to direct the respondents to consider and pass orders on the requests made in the representation dated 28.10.2024 of the petitioner.

2. The case of the petitioner is that the petitioner was issued with a Memo No.6040/Sapi.(O.Na) 13/Maa.Po.Ka/2024 dated 22.04.2024. It is alleged in the Memo that his removal from service is based on an alleged complaint dated 15.04.2024 lodged by the 2nd respondent. Aggrieved over the same, the petitioner has come forward with the present writ petition. Consequent to the issuance of the charge memo the petitioner was removed from service without conducting any domestic enquiry as contemplated under the law. It is further averred that the 4th respondent did not allot work to the



petitioner on several dates because of the only reason that the petitioner refused to pay the bribe demanded by the 4th respondent for allotment of work.

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Thereafter the petitioner sent a legal notice dated 02.08.2024, through his counsel and called upon the 4th respondent not to insist the petitioner to go collect the salary bill of the petitioner from Tondaiarpur DD-I Depot and allot work to the petitioner as has been done in respect of drivers within 15 days from the date of receipt of this notice. The 4th respondent was informed that in the event of failure to comply with the requests made in the notice, the petitioner would be constrained to approach the higher authorities for taking appropriate legal action against the 2nd to 6th respondents for his illegal activities. The 3rd respondent in Memo No.6040/Sa.Pi.(O.Na) 13/Ma.Po.Ka/2024 dated 02.05.2024, the petitioner was directed to joint duty from 04.05.2024. From the above revocation order dated 02.05.2024 it is clearly established that the petitioner did not do any wrong as alleged by the 2nd respondent in his Memo dated 22.04.2024 and he was directed to report to duty to the Branch Manager, Ambatur Depot. In spite of petitioner's repeated requests the 4th respondent failed to allot work to the petitioner. Hence, the petitioner has approached this Court.

3. Though very many grounds have been raised in this Writ Petition,



learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation dated 28.10.2024 and pass appropriate orders on merits, within a particular time frame to be fixed by this Court.

4. The learned Standing Counsel appearing for the respondents submitted that he has no objection for the said order being passed by this Court.

5. Heard the learned counsel on either side and perused the materials available on record.

6. Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, directs the respondents to consider the petitioner's representation dated 28.10.2024 and to complete the enquiry and pass appropriate orders on merits and in accordance with law, after giving necessary opportunity of personal hearing to the petitioner. The petitioner shall cooperate for the enquiry. The respondents are directed to conduct enquiry on day today basis without giving unnecessary adjournments and shall complete the same on or before 30.05.2025



6. With the above direction, the writ petition is disposed of. No costs.

Consequently, connected miscellaneous petition is also closed.

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Index : Yes/No

Speaking order/Non-speaking order
dpq

To

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V. BHAVANI SUBBAROYAN, J.

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