



W.P.(MD)No.1248 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.01.2025

**CORAM:
THE HON'BLE MR JUSTICE R.VIJAYAKUMAR**

**W.P.(MD)No.1248 of 2025
and WMP(MD).No.846 of 2025**

S.Saravanan

.... Petitioner

Vs.

1.The Managing Director
Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Tirunelveli

2.The General Manager
Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Thoothukudi Region
Thoothukudi

3.The Branch Manager
Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Kovilpatti Branch
Kovilpatti
Thoothukudi District

.....Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus directing the respondents especially the 3rd respondent to give duty to the petitioner and consider the petitioner's representation dated 06.01.2025 given to the third respondent.



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For Petitioner : Mr.K.Guhan
For Respondents : Mr.K.Ramaiah
TNSTC Standing Counsel

ORDER

The instant writ petition has been filed by a Driver working in the respondent Transport Corporation seeking a mandamus to provide him duty based upon his representation dated 06.01.2025.

2.The petitioner herein with issued with a charge memo on 06.09.2024. Challenging the said charge memo, the petitioner has filed WP(MD).No.22838 of 2024. This Court by an order dated 14.10.2024 had directed the petitioner to report for duty from 16.10.2024 onwards. The management had addressed a communication on 15.10.2024 to the writ petitioner directing him to join duty on 16.10.2024. However, the petitioner had applied for a medical leave from 10.09.2024 to 09.11.2024. The petitioner has also applied for medical leave from 08.11.2024 to 15.12.2024. As a third spell, the petitioner had again applied for medical leave from 16.12.2024 to 03.01.2025. The petitioner has obtained a fitness certificate on 04.01.2025 and has approached the respondent transport corporation to join duty. It is the allegation of the writ petitioner that he was not permitted to join duty. Hence, the present writ petition.



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3.Per contra, the learned Standing Counsel appearing for the Transport Corporation pointed out that though the petitioner was directed to join duty on 16.10.2024, he has not complied with the said order. Thereafter, on 13.01.2025 the petitioner has been directed to appear before the duty Doctor in the respondent transport corporation office to assess his fitness to join duty. Even thereafter, the petitioner has not complied with the order.

4.In view of the above said facts, this Court is inclined to pass the following orders:

a)The petitioner is directed to appear before the duty Doctor in the respondent transport corporation office to assess his fitness to join as a Driver on 27.01.2025.

b)Based upon the certificate issued by the said duty Doctor, the respondent transport corporation is directed to permit the petitioner to join duty.



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5. With the above said observations, this writ petition stands disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

22.01.2025

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



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R.VIJAYAKUMAR, J.

msa

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