



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :30.06.2015

CORAM

THE HONOURABLE **MR.JUSTICE R.MAHADEVAN**

W.P(MD).No.10764 of 2015

and

M.P. (MD).No.1 of 2015

M.Selvam

... Petitioner

Vs

1.The Tamil Nadu State Transport Corporation
(Madurai) Ltd, Dindigul Region,
rep.by its Managing Director,
Head Office,
Palanganatham Bye-pass Road,
Madurai-625 010.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Ltd, Dindigul Region,
Bye-pass Road, Collectorate Post,
Dindigul-624 001.

... Respondents

This Writ Petition has been filed praying for a Writ of Certiorari to call for the records relating to the order passed by the second respondent No.Sa Thu A2 853 dated 31.05.2014 and quash the same.

For petitioner : Mr.K.M.Ramesh

For respondents : Mr.A.P.Muthupandian

Standing Counsel for Transport Corporation

ORDER

This Writ Petition has been filed praying for a Writ of Certiorari to call for the records relating to the order passed by the second respondent No.Sa Thu A2 853 dated 31.05.2014 and quash the same. By the said order dated 31.05.2014, the respondents initiated disciplinary action against the petitioner herein for rash and negligent driving. Aggrieved over the same, the petitioner has preferred this Writ Petition.

2. Mr.A.P.Muthupandian, learned Standing Counsel for the Transport Corporation takes notice for the respondents.

3. By consent, this Writ Petition itself is taken up final

<https://hcservices.ecourts.gov.in/hcservices/>
disposal.

4. The learned counsel appearing for the petitioner would submit that the second respondent, without appreciating the



explanation submitted by the petitioner in proper manner, had passed final orders, imposing the punishment of stoppage of increment for five years with cumulative effect.

5. The learned Standing Counsel appearing for the respondents would submit that due to the rash and negligent driving of the petitioner, a passenger died resulting loss to the Corporation.

6. Admittedly, as against the punishment imposed by the respondents, the petitioner has rightly preferred an appeal before the first respondent on 08.08.2014 which is pending consideration. Since the impugned order is stoppage of increment with cumulative effect, the appellate authority, namely, the first respondent is directed to pass appropriate orders, without causing further delay in this matter, within a period of four weeks from the date of receipt of a copy of this order. Such order shall be passed after giving an opportunity of hearing to the petitioner.

With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Crl.Side)

\\True copy\\

Sub Assistant Registrar

To

1.The Managing Director,
The Tamil Nadu State Transport Corporation
(Madurai) Ltd, Dindigul Region,
Head Office,
Palanganatham Bye-pass Road,
Madurai-625 010.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Ltd, Dindigul Region,
Bye-pass Road, Collectorate Post,
Dindigul-624 001.

+1cc to Mr.K.M.Ramesh, Advocate Sr.No.34808

+1cc to Mr.A.P.Muthupandian, Advocate Sr.No.34710

akm/02.07.15 /2p-5c/