

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2016

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

Writ Petition No.22195 of 2016
and
WMP.No.18942 of 2016

A.V.Pandian

.. Petitioner

-Versus-

1. The Secretary to Finance Committee/Appeal Committee,
State Express Transport Corporation,
Thiruvallur Illam, Pallavan Salai,
Chennai-600 002.
 2. The Managing Director
State Express Transport Corporation
Thiruvalluvar Illam, Pallavan Salai,
Chennai 600 002.
 3. The Administrator,
Tamil Nadu State Transport Employees Pension Trust,
Thiruvalluvar Illam, Pallavan Salai
Chennai 600 002.
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd Respondent to pass final orders on the departmental action initiated against the petitioner based on the re-enquiry report submitted by the Enquiry Officer in respect of charges framed in Memo No.087790/DL6/SETC/TN/2008 dated 11.12.2008 etc., cases and consequently directing the Respondents to make the payment of retirement benefits payable to the petitioner as on date of retirement on 31.03.2009 along with interest, within the time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran
For Respondents : Mr.Paramasivadoss

O R D E R

This Writ Petition has been filed seeking for a direction to the second respondent to pass final orders on the departmental action initiated against the petitioner based on the re-enquiry report submitted by the Enquiry Officer in respect of charges framed in Memo No.087790/DL6/SETC/TN/2008 dated 11.12.2008 etc., cases and consequently direct the Respondents to make the payment of retirement benefits payable to the petitioner as on date of retirement on 31.03.2009 along with interest, within the time frame to be fixed by this Court.

2. Heard the learned counsel for the petitioner as well as learned counsel appearing for the respondents.

3. After some elaborate arguments, the learned counsel appearing for the petitioner submitted that even though enquiry officer has given report till date no final orders have been passed and hence a direction may be given to the respondents to pass final orders on the departmental action initiated against the petitioner.

4. The learned counsel appearing for the respondents would submit that three months time may be given to the respondents to pass final orders on the departmental action initiated against the petitioner.

5. Considering the submissions made by the learned counsel appearing on either side, the second respondent is directed to pass appropriate orders on the disciplinary proceedings initiated against the petitioner, within a period of three months from the date of receipt of a copy of this order. However, it is needless to say that the request made by the petitioner for pension will be considered by the respondents depending upon the outcome of the final orders to be passed in the disciplinary proceedings.

6. This Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.
arr

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Secretary to Finance Committee/Appeal Committee,
State Express Transport Corporation,
Thiruvallur Illam, Pallavan Salai, Chennai-600 002.

2. The Managing Director
State Express Transport Corporation
Thiruvalluvar Illam, Pallavan Salai,
Chennai 600 002.

3. The Administrator,
Tamil Nadu State Transport Employees Pension Trust,
Thiruvalluvar Illam, Pallavan Salai, Chennai 600 002.

+ 1 CC TO MR.G.SANKARAN, ADVOCATE SR 40560

+ 1 CC TO P.PARAMASIVADOSS, ADVOCATE SR 39966

KR/10/8/16

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