

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2016

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.No.22644 of 2016

V.Rajan

.. Petitioner

Vs.

1.The Principal Secretary to Government,
Transport Department,
Fort St. George,
Chennai -600 009.

2.The Managing Director,
Tamil Nadu State Transport Corporation (VPM) Ltd.
3/137, Salamedu,
Valuthareddy Post,
Villupuram - 605 602.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the first respondent herein to dispose the appeal dated 17.05.2016 against the punishment awarded by the second respondent in Proceedings in (i)Ka.Ku.No.827/7827/D7/TNSTC/2015 dated 18.11.2015 (2)Ka.Ku.No.768/7768/D7/TNSTC/2015 dated 18.11.2015 and (3)Ka.Ku.No.767/7767/D7/TNSTC/2015 dated 18.11.2015 on the file of the second respondent.

For Petitioner : Mr.D.Veerasekaran

For Respondents : Mr.P.Chinnadurai, GA(R1)
Mr.S.Sairaman, SC (R2)

ORDER

By consent, this Writ Petition is taken up and disposed of at the stage of admission itself.

2. The petitioner has filed this writ petition for a Mandamus, directing the first respondent to dispose of the appeal dated 17.05.2016 against the punishment awarded by the second respondent in Proceedings in (i) Ka.Ku.No.827/7827/D7/TNSTC/2015 dated 18.11.2015 (2)

Ka.Ku.No.768/7768/D7/TNSTC/2015 dated 18.11.2015 and (3)
Ka.Ku.No.767/7767/D7/TNSTC/2015 dated 18.11.2015.

3. According to the petitioner, he joined as Supervisor Trainee on 10.08.1981 in the Thanthai Periyar Transport Corporation and was regularised as Assistant Supervisor on 01.03.1983. Subsequently, the said Corporation was merged with Pattukottai Transport Corporation and renamed as Tamil Nadu State Transport Corporation (Villupuram) Limited. Thereafter, considering his unblemished service, he was promoted as Assistant Engineer on 01.04.1992 and further promoted as Assistant Manager on 01.04.2007 and he retired from service on 31.05.2016 on attaining the age of superannuation.

4. The case of the petitioner is that while he was working as Branch Manager at Pondicherry Branch, he was issued with a charge memo dated 09.10.2015 for sending the vehicle in routes for operation without carrying out the body repairs and for non-operation of three vehicles in the routes. On the same day, he was issued with another charge sheet for lessor income in operating the vehicles. On receipt of the same, the petitioner sent his reply to the same. Thereafter, on 22.10.2015, he was issued to another charge memo for lessor income in operation of vehicles, for which, he sent his reply.

5. It is the grievance of the petitioner that though similar charges framed against other branch managers viz., S.Duraisamy, K.Sekar Raj, K.Mohammed Nazar and S.Sridharan were cancelled by the second respondent and they were considered for promotion to the Post of Deputy Manager, such relief was not granted to the petitioner and he was imposed with punishment of stoppage of increment for three months for each case and was denied promotion. Further, when he was working in Orikkai Re-condition Unit, Kancheepuram Region on 30.11.2001, his work was appreciated by the Managing Director. Hence, he made an appeal dated 17.05.2016 before the first respondent against the punishment orders issued by the second respondent. However, the same is pending without any progress. Therefore, the petitioner has come up with the present writ petition for the above stated relief.

6. Heard the learned counsel for the petitioner, the learned Government Advocate appearing for the first respondent and the learned Standing Counsel appearing for the second respondent.

7. Considering the limited prayer sought for herein, this Court, without going into the merits of the claim made by the petitioner, directs the first respondent to consider the petitioner's appeal dated 17.05.2016 by affording an opportunity of personal hearing to the petitioner and pass appropriate

orders, on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order.

8. The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

To

- 1.The Principal Secretary to Government,
Transport Department,
Fort St. George,
Chennai -600 009.
- 2.The Managing Director,
Tamil Nadu State Transport Corporation (VPM) Ltd.
3/137, Salamedu,
Valuthareddy Post,
Villupuram - 605 602.

+1cc to Mr.D.Veerasekaran, Advocate Sr.36814
+1cc to the Government Pleader Sr.37502

W.P.No.22644 of 2016

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srg 28/07/2016

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