

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2016

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P. No. 25587 of 2012

T. Jayaraman

.. Petitioner

Versus

1. The General Manager,
Tamil Nadu State Transport Corporation
Kumbakonam Division Ltd.,
Railway Station New Road,
Kumbakonam - 612 001.

2. The Branch Manager,
Tamil Nadu State Transport Corporation
Kumbakonam Division Ltd.,
Nagapattinam Branch and District.

.. Respondents

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 give employment.

For Petitioner : Mr.P.Vijendran

For Respondents : Mr.Paramasivadosh

ORDER

This writ petition has been filed by the petitioner seeking a direction to the respondents to give employment to him.

2. The learned counsel appearing for the respondents submitted that the petitioner was appointed as Conductor with the respondent corporation on 05.06.1998. Subsequently, owing to his misconduct, he was dismissed from service on 30.01.1999. Aggrieved against the same, the petitioner filed I.D. No. 44 of 2000 before the Labour Court at Cuddalore and the Labour Court, on 03.11.2003, passed an award directing the respondent Corporation to re-instate the petitioner in service with back wages and continuity of service. As per the direction of the Labour Court, the petitioner was reinstated into the service. After reinstatement, the petitioner once again indulged in very

serious offence of misappropriation of funds within two months thereof, therefore, he was issued with a charge memo dated 02.06.2012. The petitioner did not give a reply to the said charge memo and he is not co-operating for the enquiry.

3. According to the learned counsel for the petitioner, the petitioner continues in service.

4. Be that as it may. The learned counsel for the respondents submitted that the petitioner is not co-operating for conduct of the enquiry. The pendency of disciplinary proceedings initiated against the petitioner is not disputed by the learned counsel for the petitioner. Therefore, the petitioner is directed to give reply to the charge memo within a period of 15 days from the date of receipt of a copy of this order. The petitioner is also directed to participate in the enquiry. The enquiry proceedings shall be completed by the respondents within a period of eight weeks thereafter. It is made clear that if the petitioner did not appear for consecutive two hearings, it is for the respondents to pass final orders in the enquiry proceedings.

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

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

ogy

To

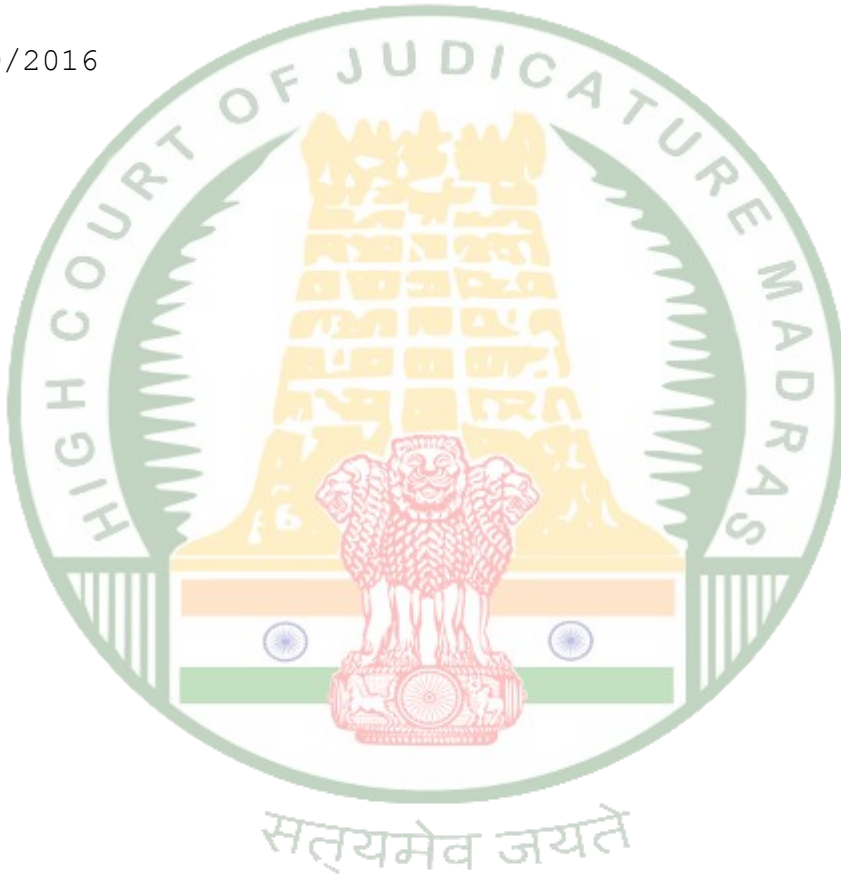
1. The General Manager,
Tamil Nadu State Transport Corporation
Kumbakonam Division Ltd.,
Railway Station New Road,
Kumbakonam - 612 001.

2. The Branch Manager,
Tamil Nadu State Transport Corporation
Kumbakonam Division Ltd.,
Nagapattinam Branch and District.

+1 CC to Mr. P. Paramasiva Doss, Sr.No.44234
+1 CC to Mr. P. Vijendran, Sr.No.44322

WP No. 25587 of 2012

PVS (CO)
MD : 16/09/2016



WEB COPY