

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2016

CORAM:

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P. No. 27764 of 2016

K.Asokan

... Petitioner

Versus

1. The Managing Director,
State Express Transport Corporation Ltd.
No.2, Pallavan Salai,
Chennai - 600 002.

2. The General Manager (Administration),
State Express Transport Corporation Ltd.,
No.2, Pallavan Salai,
Chennai - 600 002.

... Respondents

Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of mandamus, to direct the 1st respondent to pass appropriate orders on the Appeal petition submitted by the petitioner on 28.03.2009 against the order of the 2nd respondent issued in Ku.No.161/18832/TN9 Aa.thi.po.ka.2007 dated 31.01.2009 and consequently reinstate the petitioner into service with continuity of service and other consequential benefits in furtherance to the implementation of the orders passed in W.P. No.13670 of 1998 dated 25.11.2008 within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran

For Respondents : Mr.P.Kannan Kumar
Standing Counsel

ORDER

The petitioner filed an appeal petition on 28.03.2009 before the first respondent as against the order of dismissal dated 31.01.2009, which was received by the first respondent on 30th March 2009. According to the petitioner, till date, the first respondent has not passed orders in the appeal preferred by him, hence, he has filed this writ petition seeking a direction to the first respondent to pass appropriate orders on his appeal petition.

2. In the disciplinary proceedings initiated against the petitioner, the second respondent passed the order dated 31.01.2009 dismissing the petitioner from service. As against the same, the petitioner has filed an appeal on 28.03.2009 , which according to him, is pending on the file of the first respondent till date, which passing any orders.

3 . The learned standing counsel appearing for the respondents would submit that the first respondent would consider the appeal petition of the petitioner and pass orders in accordance with law.

4. Considering the limited prayer sought for in the writ petition, without expressing any opinion on merits, the first respondent is directed to consider the appeal petition filed by the petitioner on 28.03.2009 and pass appropriate orders, on merits and in accordance with law, after giving an opportunity to the petitioner, within a period of three months from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Managing Director,
State Express Transport Corporation Ltd.
No.2, Pallavan Salai,
Chennai - 600 002.
2. The General Manager (Administration),
State Express Transport Corporation Ltd.,
No.2, Pallavan Salai,
Chennai - 600 002.

+1cc to Mr.G.Sankaran, Advocate, S.R.No.45304

+1cc to Mr.P.Kannan Kumar, Advocate, S.R.No.45458

W.P.No.27764 of 2016

RSK(CO)

CA(18/08/2016)

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