

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:08.02.2016

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.Nos.2921 and 2922 of 2016
and
WMP.Nos.2435 to 2439 of 2016

D.Rajan .. Petitioner in WP.No.2921 of 2016

T.Murugesan ... Petitioner in WP.No.2922 of 2016

- 1 The principal Secretary/
Transport Commissioner
Chepauk
Chennai-600 005 .. 1st respondent in WP.No.2921/16
.. 2nd respondent in WP.No.2922 /16
2. The State of Tamil Nadu
rep.by its
Principal Secretary to Government
Home (Transport) Department
Secretariat,
Chennai - 600 009 .. 1st respondent in WP.No.2922/16
- 3 The Regional Transport Officer
Redhills
Chennai-600 057.. 2nd respondent in WP.No.2921/16

Writ Petition No.2921 of 2016 filed under Article 226 of the Constitution of India seeking a writ of Certiorarified mandamus to call for the records relating to impugned charge memo issued against the petitioner by the second respondent in his letter No.R.27943/B1/2013 dated 20.08.2013 quash the same and direct the 1st respondent to promote the petitioner to the post of Motor Vehicles Inspector (Non-Technical) and fix his seniority above his immediate junior in that post.

Writ Petition No.2922 of 2016 filed under Article 226 of the Constitution of India seeking a writ of Certiorarified mandamus to call for the records of the impugned letter of the 2nd respondent issued in Memo R.No.43265/VBI/2008, dated 04.11.2008 framing charge against the petitioner and quash the same and consequently direct the respondents to promote the petitioner to the higher

post of Personal Assistant to Regional Transport Officer from the date on which the petitioner's immediate junior in service was promoted to that post by placing petitioner's name above to his immediate junior in the seniority list.

For petitioner
in both petitions : Mr.A.Ganesan

For respondents
in both petitions : Mr.S.Gunasekaran
Government Advocate

C O M M O N O R D E R

Today when the matters are taken up, the learned Government Advocate, who took notice on behalf of respondents, submitted that the earlier order passed by this Court has been duly complied with by issuing Proc.R.No.45322/VA1/2011 dated 05.2.2016 in respect of the petitioner (D.Rajan) in WP.No.2921 of 2016 and G.O.(2D) No.38 dated 04.2.2016 in respect of the petitioner (T.Murugesan) in WP.No.2922 of 2016 in and by which, the Government have imposed punishment of stoppage of increment for a period of three years with cumulative effect on D.Rajan (petitioner in WP.No.2921 of 2016) and the punishment of stoppage of increment for a period of two years with cumulative effect on T.Murugesan (Petitioner in WP.No.2922 of 2016). In the said order, it is clearly stated that the above punishment is inclusive of leave period spent by the petitioners and it will affect their pension. The learned Government Advocate has also produced the copy of the above orders dated 05.2.2016 and 04.2.2016 before this Court.

2. Recording the said submission made by the learned Government Advocate and placing on record the above Government orders dated 05.2.2016 and 04.2.2016, these writ petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

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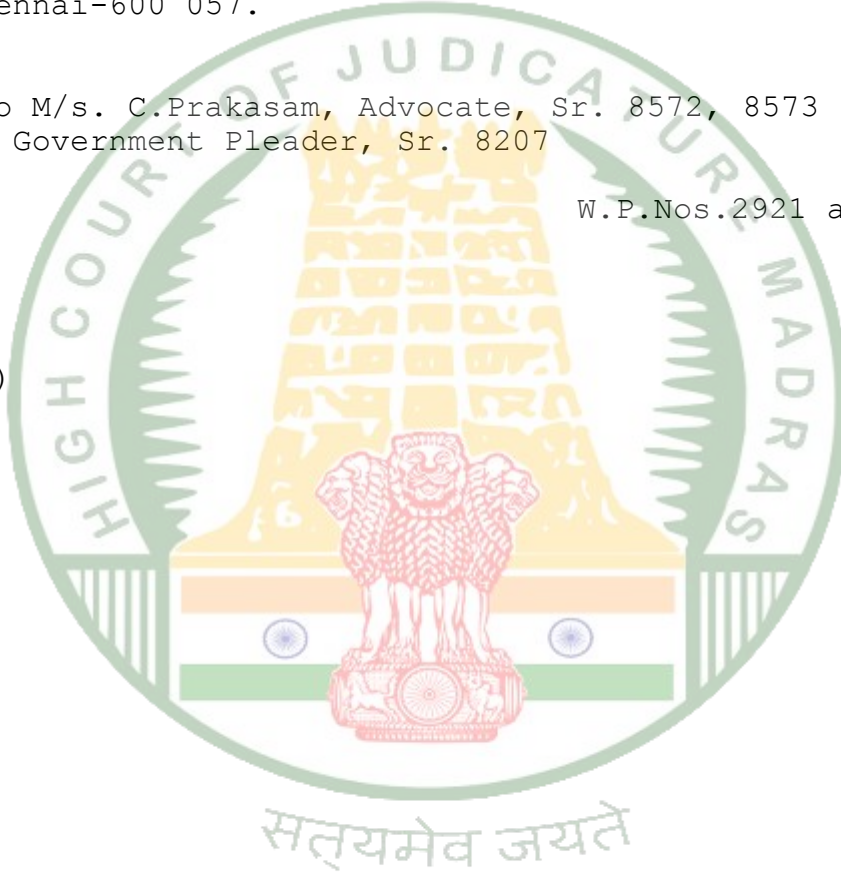
To

- 1 The principal Secretary/
Transport Commissioner
Chepauk, Chennai-600 005
2. The Principal Secretary to Government
Home (Transport) Department
Secretariat, Chennai - 600 009
- 3 The Regional Transport Officer
Redhills
Chennai-600 057.

2 ccs to M/s. C.Prakasam, Advocate, Sr. 8572, 8573
1 cc to Government Pleader, Sr. 8207

W.P.Nos.2921 and 2922 of 2016

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