

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.12.2017

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.31314 of 2017

V.Maruthchalam

... Petitioner

Versus

1. The Managing Director,
Tamil Nadu State Transport Corporation,
37, Mettupalayam Road,
Coimbatore-43.
 2. The General Manager,
Tamil Nadu State Transport Corporation,
37, Mettupalayam Road,
Coimbatore-43.
 3. The Branch Manager,
Tamil Nadu State Transport Corporation,
Sungam-II, Coimbatore District.
- ... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to dispose of the appeal dated 15.06.2017.

For Petitioner : Mr.J.Stalin

For Respondents : Mr.S.Sairaman

O R D E R

The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the 1st respondent to dispose of the appeal of the petitioner dated 15.06.2017.

2. The case of the petitioner is that he has been working as Conductor in the Respondent Corporation since 11.03.1998. While so, on 22.03.2017, the 2nd respondent issued a Charge Memo against the petitioner and two others alleging that they have participated in a Dharna in the Front Entrance of the Branch Office at Sungam and prevented other employees from attending the work. The petitioner has submitted an explanation for the same. Thereafter, according to the petitioner, without conducting any enquiry, the 2nd respondent imposed a punishment

of stoppage of increment for two years with cumulative effect on the petitioner by order dated 30.05.2017. Aggrieved over the same, the petitioner filed an appeal before the 1st respondent on 15.06.2017 as it is stipulated in the impugned order itself that against the order of punishment, the petitioner can file an appeal before the 1st respondent within 60 days from the date of receipt of the copy of that order. During the pendency of the appeal, it is stated before this Court that without considering the pending appeal, the 2nd respondent has implemented the punishment.

3. Mr.S.Sairaman, learned Counsel taking notice for the respondents, seeks eight weeks time to dispose of the said appeal.

4. Considering the limited prayer made in the Writ Petition and also taking into account the submission of the learned Counsel for the respondents, without going into the merits of the claim made by the petitioner, this Court directs the 1st respondent, to dispose of the petitioner's appeal dated 15.06.2017, within a period of six weeks from the date of receipt of a copy of this Order, on merits and in accordance with law.

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

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

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To

1. The Managing Director,
Tamil Nadu State Transport Corporation,
37, Mettupalayam Road,
Coimbatore-43.

+1cc to Mr.J.Stalin, Advocate in sr.no.85388

W.P.No.31314 of 2017

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