

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2017

CORAM :

THE HONOURABLE Mr.JUSTICE T.RAJA

W.P.No.33024 of 2017

and

W.M.P.Nos.36393 & 36394 of 2017

M.Thenmozhi

... Petitioner
Vs.

The Managing Director,
Tamil Nadu State Road Transport Corporation (VPM) Ltd.,
Villupuram, Tamil Nadu. ... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records of the respondent in respect of the Charge Memo vide f/F/vz;/429-1329-o6-jehmnghf-2009 dated 19.6.2009, the enquiry report with No.Nil dated 18.08.2009 which has been informed to the petitioner through the Memo Lr.No.429/1329/D6/TNSTC/2009, dated 06.11.2009, the Appellate Order imposing the punishment vide proceedings கருண்.429-1329-196-தநாஅபோக-2009 dated 2.8.2010 issued by the respondent and to quash the same and consequently, to direct the respondent to restore the basic pay of the petitioner to Rs.15,600/- with effect from the date on which the punishment was imposed with all other consequential benefits including difference of wages.

For Petitioner : Mr.V.Ajaykumar

For Respondent : Mr.Antony Arockiaraja

ORDER

This writ petition has been filed by the petitioner with a huge delay of seven years, challenging the impugned order dated 02.08.2010 removing the petitioner from service for indiscipline action of absence continuously since 01.6.2009 without leave.

2.Earlier the petitioner had filed Writ Petition No.2929 of 2014 challenging the charge memo dated 19.06.2009, the Enquiry Report dated 18.08.2009, the punishment order dated 02.08.2010 and the impugned order dated 16.01.2014 cancelling the revised punishment order and to quash the same and consequently to direct the respondent

to restore the basic pay of the petitioner to Rs.15,600/- with effect from the date on which the punishment was imposed, with all other consequential benefits including difference of wages. But, the said writ petition was dismissed on 05.03.2014 by this Court, against which the petitioner had filed an appeal in W.A.No.853 of 2014. The said writ appeal was also dismissed on 21.07.2014 giving liberty to the petitioner to file review application of she so advised within two weeks.

3.Without filing a review application, except making representation, the petitioner has again come to this Court with the present writ petition challenging the same removal order dated 02.08.2010. When the petitioner had not challenged the removal order dated 02.08.2010 at an earlier point of time, in view of the long delay of seven long years, this Court is not inclined to entertain the present writ petition. Therefore, on the ground of huge delay also, the writ petition is liable to be dismissed.

4.Accordingly, the writ petition is dismissed. Consequently, connected Miscellaneous Petitions are also closed. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

ssv

To

The Managing Director,
Tamil Nadu State Road Transport Corporation (VPM) Ltd.,
Villupuram, Tamil Nadu.

+1 CC to Mr.A.Antony Arockiaraja Advocate Sr.No.90523

+1 CC to Mr.V.Ajayakumar, Advocate Sr.90518

CO-
ths : 03.02.2018

W.P.No.33024 of 2017
and
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