



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.12.2017

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P (MD) No.5526 of 2014

and

M.P. (MD) .Nos. 2 and 3 of 2014

G.Govindan

... Petitioner

vs.

1. The Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Represented by its Managing Director,
Bye Pass Road,
Madurai- 625 010.
2. The General Manager,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Virudhunagar Region,
Virudhunagar.
3. The Branch Manager,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Rajapalayam Branch,
Virudhunagar.

... Respondents

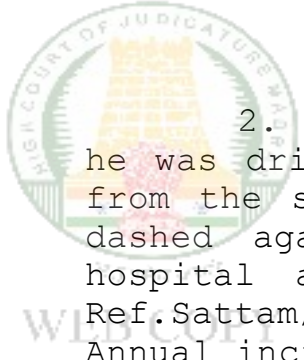
PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, to call for the records pertaining to the impugned order of the 2nd respondent passed in Ref.Sattam/Sa.3/4324/6B/12, dated 01.01.2013 and quash the same.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.Jeyaraman
Standing Counsel for TNSTC

ORDER

This Writ Petition has been filed to call for the records pertaining to the impugned order passed by the second respondent in Ref.Sattam/Sa.3/4324/6B/12, dated 01.01.2013 and quash the same.



2. The case of the petitioner is that on 18.06.2012, while he was driving the Transport Corporation Bus, a cyclist who came from the service Road had suddenly crossed the road and the bus dashed against him and he succumbed to the injuries in the hospital and died. Hence, the department issued an order in Ref.Sattam/Sa.3/4324/6B/12, dated 01.01.2013, for stoppage of Annual increment for five years with cumulative effect and further the period of suspension was directed to be treated as leave. It is further contended by the learned counsel for the petitioner that due to the sudden crossing of the cyclist from the service Road, the accident took place and there was no negligence on his part, hence he seeks lesser punishment and challenging the said impugned order, the present writ petition has been filed.

3. The learned counsel for the respondent would submit that there is an appeal remedy available before the Appellate Authority and the petitioner has also preferred an appeal before the appropriate Appellate Authority and it is pending. The learned counsel for the petitioner would plead that hence, he limits his prayer to the effect that if the appeal is disposed of within a time frame that would suffice at this stage.

4. I have heard Mr.A.Rahul, learned counsel appearing for the petitioner and Mr.Jeyaraman, the learned counsel appearing for the Transport Corporation.

5. Considering the submissions and contentions made by the learned counsel on both sides, this Court directs the Appellate Authority/first respondent to dispose of the said appeal, dated 03.07.2013, filed by the petitioner, which is pending before him, within a period of three months from the date of receipt of the copy of this order, after giving an opportunity to the concerned parties, in accordance with law.

6. Accordingly, this writ petition is disposed of. Consequently, connected miscellaneous petitions are closed. No Costs.

Sd/-
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To

1. The Managing Director,
The Tamil Nadu State Transport Corporation(Madurai) Ltd.,
Bye Pass Road,
Madurai- 625 010.



2. The General Manager,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Virudhunagar Region,
Virudhunagar.

WEB COPY

3. The Branch Manager,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Rajapalayam Branch,
Virudhunagar.

+ 1 cc TO Mr.A.Rahul , Advocate in SR No. 91143

PJL

AE/GT/SAR3/10.01.2018/3P/5C

W.P (MD) No.5526 of 2014
05.12.2017