



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 15.11.2017

CORAM :

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THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P(MD)No.20039 of 2017

M.Rahamadullah

... Petitioner

vs.

1.The Principal Secretary to Government,
Transport Department,
Government of Tamil Nadu Cum Ex-officio Chairman,
All Tamil Nadu State Transport Corporation Limited,
Fort St. George,
Chennai - 600 009.

2.The Managing Director,
Tamil Nadu State Transport Corporation Madurai Ltd.,
Bye - Pass Road,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 1st respondent to dispose the representation dated 10.10.2017 within a stipulated time fixed by this Hon'ble Court.

For Petitioner	: Mr.K.Gokul
For 1 st Respondent	: Mr.R.Velmurugan Government Advocate
For 2 nd Respondent	: Mr.A.P.Muthupandian

ORDER

The writ petitioner, who has been imposed with the punishment vide order dated 02.05.2016, has preferred an appeal against the said order on 10.10.2017. The present writ petition has been filed for a direction to dispose the said appeal with in a time frame.

2.Heard Mr.K.Gokul, learned counsel appearing for the petitioner, Mr.R.Velmurugan, learned Government Advocate appearing for the 1st respondent and Mr.A.P.Muthupandian, learned counsel appearing for the 2nd respondent.

3.Clause (ii) of Rule 20 of the Certified Standing Orders of the respondent Corporation provides for an appeal within 90 days from the date of communication of the order appealed against and the



appellate authority may entertain the appeal after expiry of the said period, if the appellant shows sufficient cause for not submitting the appeal within that period. Evidently, the petitioner has not filed the appeal in time as the appeal has been filed beyond the period of 90 days prescribed.

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4. Having regard to the limited prayer sought in this writ petition, this Court, directs the first respondent to take a decision regarding entertaining the appeal beyond the period of limitation on or before 15.12.2017 and if the delay is condoned, dispassionately consider the appeal filed by the petitioner and pass orders on merits and accordance with law and communicate such decision to the petitioner on or before 30.01.2018.

5. Accordingly, the Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

The Principal Secretary to Government,
Transport Department,
Government of Tamil Nadu Cum Ex-officio Chairman,
All Tamil Nadu State Transport Corporation Limited,
Fort St. George,
Chennai - 600 009.

+ 1 CC TO Mr.K.GOKUL, ADVOCATE IN SR No. 87540
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 87472

SJ

TE/SV-MMS/SAR-2 : 28/11/2017 : 2P/4C

order in
W.P (MD) No.20039 of 2017
15.11.2017