



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.02.2017

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THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.(MD) No.3129 of 2017

M.Thiyagarajan

... Petitioner

Vs.

1.State Express Transport Corporation
(Tamil Nadu)Limited,
represented by its Managing Director,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai-2.

2.The General Manager,
State Express Transport Corporation
(Tamil Nadu) Limited,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai-2.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus,directing the respondents to dispose of the Petitioner's appeal dated 5.10.2016 within the time stipulated by this Court.

For Petitioner : M/s.A.Rahul

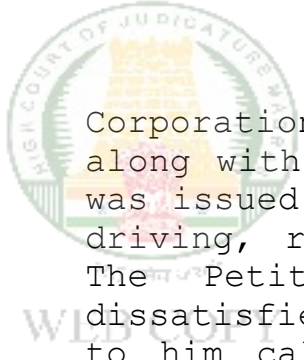
For Respondents : Mr.K.Sathiya Singh
1 and 2 Standing Counsel

O R D E R

This Writ Petition has been filed, seeking a direction to the respondents to dispose of the Petitioner's appeal, dated 5.10.2016 within the time stipulated by this Court.

2.Mr.K.Sathiya Singh, learned Standing Counsel takes notice for the respondents 1 and 2. By consent of both parties, the Writ Petition itself is taken up for final disposal at the admission stage itself.

3.The case of the Petitioner is that the Petitioner was working as a Selection Grade Driver in the respondents



Corporation. While so an accident took place while he is on duty along with one Palanichamy, who is a driver-cum- conductor and he was issued with a charge memo, dated 30.5.2012 alleging negligent driving, resulted in causing damages to the bus driven by them. The Petitioner has also submitted his explanation. Being dissatisfied with the explanation, a show cause notice was issued to him calling upon him to explain as to why punishment of increment cut for one year with cumulative effect shall not be imposed on the Petitioner and the said Palanichamy. The recovery was also effected from the salary of the Petitioner. Furthermore, no final order was passed on the disciplinary enquiry till date. Hence the petitioner has filed an appeal to the Managing Director of the respondents Corporation on 5.10.2016 and since the said appeal did not evoke any response, the petitioner is before this Court with the relief stated supra.

4. The learned Standing counsel for the respondents would submit that it is agreeable for the respondents to consider the appeal of the petitioner and pass orders thereon.

5. In view of the submission, the respondents concerned is directed to consider the appeal of the petitioner, dated 05.10.2016 and to pass appropriate orders on the same in accordance with law within a period of two months from the date of receipt of copy of this order, if there is no other legal impediment to do so.

6. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To:

1. The Managing Director,
State Express Transport Corporations
(Tamil Nadu) Limited,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai-2.

2. The General Manager,
State Express Transport Corporation
(Tamil Nadu) Limited,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai-2.



+1cc to Mr.A.Rahul, Advocate Sr.No. 10704

+1cc to Mr.K.Sathiya Singh, Advocate Sr.No. 10224

vsn

AE/SV MMS/15.03.2017/3P/5C

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