



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 28.04.2017
CORAM:

THE HONOURABLE Mr.JUSTICE **S.S.SUNDAR**

W.P.(MD).No.8355 of 2017

C.P.Johnson

...Petitioner

Vs.

1.The Tamil Nadu State Transport Corporation,
(Tirunelveli)Ltd.,
Represented by its Managing Director,
Tirunelveli.

2.The General Manager,
Tamil Nadu State Transport Corporation,
(Tirunelveli)Ltd., Nagercoil Region,
Ranithottam, Nagercoil,
Kanyakumari District.

3.The Branch Manager,
Tamil Nadu State Transport Corporation,
(Tirunelveli) Ltd.,
Kanyakumari,
Kanyakumari District.

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records pertaining to the impugned order passed by the 2nd respondent in No.225/Legal to TNSTC/K.Lika/08/2017, dated 20.02.2017 and quash the same as illegal.

For Petitioner : M/s.D.Senthil

For Respondents : Mr. K. Sathiya Singh

O R D E R

This Writ petition has been filed by the petitioner for issuance a Writ of Certiorari calling for the records pertaining to the impugned order passed by the 2nd respondent in No.225/Legal to TNSTC/K.Lika/08/2017, dated 20.02.2017 and quash the same as illegal.

2.Mr.K.Sathiya Singh, learned counsel takes notice for the respondents. By consent, the Writ petition itself is taken up for final disposal. Heard both sides.



3.The petitioner has challenged the order of suspension passed by the 2nd respondent dated 20.02.2017. The impugned order dated 20.02.2017 reveals the fact that the petitioner has committed certain irregularities and that disciplinary proceeding has been commenced against him. For initiation of disciplinary proceedings against the petitioner for certain misconduct and for suspension pending enquiry, this Court cannot entertain the Writ petition unless the order is passed by an incompetent person or the order is wholly illegal.

4.Suspension in contemplation of disciplinary proceeding cannot be taken as an adverse order. In this case, no mala fide is alleged and the petitioner is not questioning the authority or the respondents, who issued such an order of suspension.

5.In the above circumstances, this court find no merits in this Writ petition. The Writ petition is therefore dismissed. No costs.

Sd/-

Assistant Registrar(Records)

/True copy/

Sub Assistant Registrar

To

- 1.The Tamil Nadu State Transport Corporation,
(Tirunelveli)Ltd.,
Represented by its Managing Director,
Tirunelveli.
- 2.The General Manager,
Tamil Nadu State Transport Corporation,
(Tirunelveli)Ltd., Nagercoil Region,
Ranithottam, Nagercoil,
Kanyakumari District.
- 3.The Branch Manager,
Tamil Nadu State Transport Corporation,
(Tirunelveli) Ltd.,
Kanyakumari,
Kanyakumari District.

+1 cc to Mr.D.Senthil , Advocate in SR.No. 54913
+1 cc to Mr.K.Sathiya Singh , Advocate in SR.No. 55325
+1 cc to Mr.D.R.Murugesan , Advocate in SR.No. 54912

GNS/VSA

AE/RSK/17.05.2017/2P/7C

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ORDER MADE IN
W.P. (MD) .No.8355 of 2017
28.04.2017