

**THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN
AND
THE HON'BLE DR JUSTICE SHAMEEM AKTHER**

Writ Appeal No.111 of 2010

Judgment: {Per the Hon'ble the Acting Chief Justice Ramesh Ranganathan}

This appeal, under Clause 15 of the Letters Patent, is preferred against the order passed by the learned Single Judge in W.P. No. 4858 of 2009 dated 20.4.2009.

The appellant herein is the petitioner in the writ petition. He filed the writ petition questioning the action of the Regional Manager, TSRTC in imposing on him the punishment of reducing his pay by two increments for a period of two years for charges which included collecting fares without issuing tickets.

While Sri A. Thirupathi Reddy, learned counsel for the appellant, would put forth his submissions on the merits of the case, to contend that the disciplinary authority and the revisional authority had erred in holding the charges as proved, this Court, would not, in proceedings under Article 226 of the Constitution of India, re-appreciate the evidence on record.

In any event, the learned Single Judge has, in the order under appeal, non-suited the appellant on the ground of delay of four years in invoking its jurisdiction. In an intra-Court appeal, under Clause 15 of the Letters Patent, interference would be justified only if the order under appeal suffers from a patent illegality. We find no such infirmity in the order of the learned Single Judge refusing to entertain the writ petition for delay and laches.

The writ appeal fails and is, accordingly, dismissed. Miscellaneous petitions, if any, pending shall stand dismissed. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(DR. SHAMEEM AKTHER, J)

27th March 2017
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