

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.2076 of 2018

A.C.Srinivasan .. Petitioner

-vs-

1. Tamil Nadu State Transport Corporation (Coimbatore) Ltd.,
rep.by its Managing Director
Coimbatore-13
2. The General Manager
Tamil Nadu State Transport Corporation (Coimbatore) Ltd.,
Coimbatore Region
Coimbatore-43
3. The Inspector of Police
Anupparpalayam Police Station
Tirupur District .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, forbearing the first respondent from taking any further action on the basis of First Information Report filed by the third respondent in Crime No.679 of 2015 dated 26.06.2015 and considering the petitioner's representation dated 05.12.2017.

For Petitioner :: Mr.E.C.Ramesh

For Respondents :: Mr.R.S.Selvam
Standing Counsel for R1 & 2
Mr.V.Kadhirvelu
Special Government Pleader for R3

ORDER

This writ petition has been filed seeking a mandamus to forbear the first respondent from taking any further action on the basis of the First Information Report filed by the third respondent in Crime No.679 of 2015.

2. Learned counsel for the petitioner submitted that when the petitioner, who was serving as Driver in the respondent Transport Corporation, drove the bus from Nambiyur to Tirupur

route on 26.6.2015, alleging that he met with an accident and caused the death of one Mr.Manthiram, a police case was registered on 26.6.2015. Since the third respondent police filed the First Information Report in Crime No.679 of 2015 for an offence under Sections 279, 337 & 304(A) of IPC, summons were issued by the third respondent for enquiry. Accordingly, he has also appeared before the third respondent along with the Depot Manager and explained that the accident was not caused by him. He has also produced some of the photographs before the third respondent. Considering the same, a final report has been filed stating that the registration number of the bus driven by the petitioner was removed and also added the registration number of the bus bearing No.TN 33 N 2131. Therefore, when the final report has already been filed, a direction may be issued to the first respondent not to proceed further.

3. But this Court may not be able to sit on the enquiry going to be conducted by the first respondent. If the third respondent has filed the final report, it is for the petitioner to satisfy the first respondent that the bus driven by him was not involved in the accident and he had not caused the accident on the particular date. Hence, this Court is not inclined to entertain the writ petition. Accordingly, the writ petition is dismissed. No costs.

Sd/-

ASSISTANT REGISTRAR

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

1. The Managing Director
Tamil Nadu State Transport
Corporation (Coimbatore) Ltd.,
Coimbatore-13

2. The General Manager
Tamil Nadu State Transport
Corporation (Coimbatore) Ltd.,
Coimbatore Region
Coimbatore-43

3. The Inspector of Police
Anupparpalayam Police Station
Tirupur District

+1 CC to Mr.E.C.Ramesh Advocate SR.NO.8041

+1 CC to Mr.R.S.Selvam Advocate SR.NO.7923

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VC (17/02/2018)