



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.06.2018

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P (MD) No.12423 of 2018

WEB COPY

K.Sangilipandian

... Petitioner

Vs.

1. The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd., rep. by its Managing Director, Kumbakonam.
2. The General Manager, The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd., Karaikudi Region, Karaikudi.
3. The Administrator, The Tamil Nadu State Transport Corporation Pension Fund Trust, Thiruvalluvar Illam, Pallavan Salai, Chennai - 2.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to dispose of the petitioner's appeal dated 09.04.2018 as against the punishment of postponement of his next annual increment with cumulative effect for one year imposed by the 2nd respondent by proceedings in Ref.No.TNSTC/TS/D5/7 dated 29.01.2015.

For Petitioner : Mr.A.Rahul
For Respondents : Mr.D.Sivaraman

O R D E R

The prayer sought for in this writ petition is for a writ of mandamus, directing the 1st respondent to dispose of the petitioner's appeal dated 09.04.2018 as against the punishment of postponement of his next annual increment with cumulative effect for one year imposed by the 2nd respondent by proceedings in Ref.No.TNSTC/TS/D5/7 dated 29.01.2015.

2. Heard Mr.A.Rahul, learned counsel for the petitioner and Mr.D.Sivaraman, learned standing counsel appearing for the respondents.



3.The learned counsel appearing for the petitioner would submit that, punishment of withholding of increment was awarded to the petitioner by the Disciplinary Authority against which the petitioner preferred appeal to the first respondent on 09.04.2018. The said appeal is yet to be disposed of. Therefore, if a direction is given to the first respondent to decide the appeal and pass orders thereon, on merits, within a time frame, the petitioner would be satisfied.

4.I have heard Mr.D.Sivaraman, learned counsel appearing for the respondents, who would submit that, the said appeal dated 09.04.2018 filed by the petitioner before the first respondent shall be considered on merits and in accordance with law and an order to that effect would be passed, within a time frame, that may be fixed by this Court.

5.Considering the said submissions made by both sides, this writ petition is disposed of with the following direction:

"The first respondent is directed to consider the appeal filed by the petitioner dated 09.04.2018, against the punishment awarded against him, on merits and in accordance with law and pass orders thereon, within a period of six weeks from the date of receipt of a copy of this order."

6.With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To
The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
rep. by its Managing Director,
Kumbakonam.

+1cc to Mr.D.Sivaraman , Advocate Sr.No.67816
+1cc to Mr.A.Rahul, Advocate Sr.No.68103
Arul
MK/SB/SAR 4/27.06.2018/2P/4C

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