

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :10.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No. 22835 of 2018

M.Mohamed Rafi

..Petitioner

Vs

1.The Managing Director,
Tamil Nadu State Transport Corporation,
37, Mettupalayam Road, Coimbatore - 43.

2.The General Manager
Tamil Nadu State Transport Corporation,
37, Mettupalayam Road, Coimbatore - 43.

3.The Branch Manager,
Tamil Nadu State Transport Corporation,
Sungam-II, Coimbatore District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ order or direction in the nature of writ of Certiorarified Mandamus, to call for the records in proceedings No.1/G2/1583/TNGTC/18, dated 12.04.2018, on the file of the 1st respondent in confirming the proceedings of the 2nd respondent in 1/G2/1583/TNGTC/2017 dated 30.05.2017 and quash the same as illegal, unjust and unconstitutional and further direct the respondents to furnish his increment which belonged to his service.

For Petitioner : Mr.J.Stalin

For Respondents : Mr.S.Sairaman

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O R D E R

This writ petition has been filed for issuance of a Writ of Certiorarified Mandamus, to call for the records in proceedings No.1/G2/1583/TNGTC/18, dated 12.04.2018, on the file of the 1st respondent in confirming the proceedings of the 2nd respondent in 1/G2/1583/TNGTC/2017 dated 30.05.2017 and quash the same.

2.The petitioner filed a writ petition challenging the punishment imposed by the Transport Corporation on 30.05.2017

for stoppage of two annual increments with cumulative effect in arbitrary manner and aggrieved by the said order, the petitioner made an appeal before the 1st respondent on 15.06.2017 and thereafter the petitioner issued a reminder letter dated 26.07.2017 to the 1st respondent herein. However, the same is pending without any progress. By keeping pending of the appeal, the respondents have implemented the order of the 2nd respondent. Therefore, the petitioner filed W.P.No.32688 of 2017 before this Court and it was disposed of on 15.12.2017, directing the respondent to dispose of the appeal within twelve weeks. Thereafter, on 12.04.2018, the 1st respondent has passed an impugned order, dismissed the appeal. Aggrieved by the said order, the present petition has been filed.

3.The learned counsel for the respondents would submit that after the disposal of the appeal, the petitioner has filed a petition under Na.Ka.No.506 of 2019 before the Labour Officer, Coimbatore and the same is still pending. However, filing of this writ petition is not maintainable.

4.In view of the submissions made by the learned counsel for the respondents, this writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

gbi
To

1.The Managing Director,
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Tamil Nadu State Transport Corporation,
Sungam-II, Coimbatore District.

+1cc to Mr.J.Stalin, Advocate SR.78198/19

W.P.No. 22835 of 2018

VGI (CO)
CB(31/10/2019)