

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2019

CORAM

THE HONOURABLE Mr. JUSTICE V.PARTHIBAN

W.P.No.20060 of 2019

P.Ganesan

...Petitioner

Vs

1.The General Manager
Tamilnadu State Transport
Corporation (Villupuram Ltd)
Thiruvannamalai Division,
Thiruvannamalai.

2.The Managing Director,
Tamilnadu State Transport
Corporation (v) Ltd,
Palamedu, Vadugapatti,
Villupuram-605 606.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the second respondent to pass orders on the statutory appeal preferred by the petitioner dated 24.08.2013 against the imposition of the punishment of removal from service imposed by the first respondent in his Thiru No. 39529/1829/B5, Government Transport (E) Thiruvannamalai dated 20.07.2013.

For Petitioner : Mr.M.Muthappan

For Respondents : Mr.A.Antony Arokiyaraj

ORDER

The petitioner originally was appointed as Casual Labour in 1998 and subsequently his services were regularized in the Transport Corporation, on 21.01.2010. According to the petitioner, he could not work due to his illness for some time in 2016. The petitioner was issued with a charge memorandum on 06.05.2016 for his unauthorized absence. Thereafter, an enquiry officer was also appointed on 12.12.2016. The enquiry officer submitted the report holding the charges against the petitioner proved. The

petitioner was furnished with the copy of the enquiry report on 21.12.2016.

2.The petitioner, in response to the enquiry report, submitted his explanation. Finally, the Disciplinary Authority imposed the punishment of 'removal from service' on the petitioner, on 20.07.2017. Against the imposition of punishment by the first respondent the petitioner preferred a statutory appeal to the second respondent on 24.08.2017, but till date the same has not been disposed of. In the said circumstances, the petitioner is before this Court seeking for issue of Writ of Mandamus.

3.When the matter is taken up for hearing, the learned counsel appearing for the respondent Corporation would submit that the second respondent may be directed to dispose of the appeal preferred by the petitioner against the punishment of 'removal from service', within a time to be stipulated by this Court.

4.In view of the limited prayer being sought in the writ petition, this Court, without expressing any opinion on the merits of the writ petition, directs the second respondent to dispose of the appeal filed by the petitioner on 24.08.2017, on merits and in accordance with law, within a period of eight weeks from the date of receipt of copy of this order. The second respondent is also directed to communicate the order to the petitioner forthwith, after the order is passed.

The writ petition is disposed of accordingly. No costs.

Sd/-

सत्यमेव जयते Assistant Registrar (CS VI)

//True Copy//

Sub Assistant Registrar

Msk/tta

To

- 1.The General Manager
Tamilnadu State Transport
Corporation (Villupuram Ltd)
Thiruvannamalai Division,
Thiruvannamalai.

2.The Managing Director,
Tamilnadu State Transport
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Palamedu, Vadugapatti,
Villupuram-605 606.

+1cc to Mr.M.Muthappan , Advocate SR.No. 70110

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A.SK(20/09/2019)



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