

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :06.09.2019
CORAM
THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No.23122 of 2019

K. Kumar

..Petitioner

vs

1. The Managing Director,
Tamil Nadu State Transport Corporation Head Office,
Villuppuram.

2. The General Manager,
Kanchipuram Division,
Tamil Nadu State Transport Corporation,
Villuppuram Head Office,
Villuppuram.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus or any other appropriate writ or order or direction more in the nature of a writ, directing the 1st respondent to dispose the petitioner's Appeal dated 11.01.2017 within stipulated time on the basis of the petitioner reminder letter dated 20.06.2019 and pass such further or other orders.

For Petitioner: Mr. A. Rajaram

For Respondents: Mr. R. S. Selvam,
Government Advocate for R1
Mr. J. Ramesh, AGP for R2

सत्यमेव जयते
O R D E R

The learned counsel for the petitioner would submit that the petitioner was working as driver in the office of the first respondent for the past 20 years. On 13.02.2010, while he was on duty driving Bus No.TN-21-N-1145 from Pondicherry to Chennai, one woman who was aged about 45 years, a passenger in the bus, jumped out from the running bus without any signal or intimation. Immediately, the petitioner stopped the bus and admitted her in the hospital. However she declared dead in the hospital. Thereafter, the first respondent issued charge memo on 27.08.2011 and also issued a show cause notice on 16.03.2012.

The petitioner submitted his explanation before the 2nd respondent on 25.03.2012. After detailed enquiry, final order was passed against him on 31.05.2012. In that final order, punishment of increment cut was imposed for further 3 years. Thereafter, the petitioner filed an Appeal Petition on 11.01.2017 before the first respondent, however till date the said Appeal has not been disposed of. Hence the present Writ Petition is filed.

2. The learned counsel for the petitioner would submit that it would be suffice if a direction is issued to the first respondent to dispose of the Appeal filed by the petitioner on 11.01.2017 and pass order on merits and in accordance with law, within a stipulated time.

3. Without expressing any opinion on the merits of the case and considering the limited request made by the learned counsel for the petitioner, I am inclined to issue direction to the first respondent to dispose of the Appeal filed by the petitioner on 11.01.2017 on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

mrn

To

1. The Managing Director,
Tamil Nadu State Transport Corporation Head Office,
Villuppuram.

2. The General Manager,
Kanchipuram Division,
Tamil Nadu State Transport Corporation,
Villuppuram Head Office,
Villuppuram.

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+1cc to M/s.A.Antony Arockiaraja, Advocate sr.77458
+1cc to Government Pleader SR.NO. 77715

W.P.No.23122 of 2019

mp(co)
nr 14/11/2019



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