

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. No.21002 of 2019

K.Kumaran

... Petitioner

Versus

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Kumbakonam Ltd),
Kumbakonam.
2. The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam Ltd),
Nagapattinam Region,
Nagapattinam.
3. The Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam Ltd),
Vedharanyam Branch,
Nagapattinam

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the first respondent to dispose of an appeal filed by the petitioner as against the final order passed by the second respondent in TNSTC/Nagai/O.Na/D14/Ve/066/2017 dated 01.12.2018.

For Petitioner : Ms.Greetha Senthilkumar
For Respondents : Mr.D.Venkatachalam (for R1)

ORDER

This Writ petition has been filed seeking to direct the first respondent to dispose of an appeal filed by the petitioner as against the final order passed by the second respondent in TNSTC/Nagai/O.Na/D14/Ve/066/2017 dated 01.12.2018.

2.The case of the petitioner is that the petitioner was appointed as Reserve Conductor in Vedharanyam Branch, Nagapattinam District of the Tamil Nadu State Transport Corporation (Kumbakonam) Limited on temporary basis. A charge memo and a suspension order was passed by the second respondent/The General Manager to the petitioner for taking leave without information and went to abroad without getting permission. After the departmental inquiry, the charges were proved by the second respondent. The petitioner was terminated from service by the second respondent with liberty to move an appeal before the first respondent/The Managing Director. Thereupon, the petitioner preferred an appeal before the first respondent, which was kept still pending. Hence, this petition.

3. Heard both sides and perused the records.

4.The learned counsel for the petitioner submits that it would suffice, if a direction to the second respondent to forward the final order dated 01.12.2018 issued to the petitioner, to the first respondent and to dispose the pending appeal before the first respondent on merits and to pass orders in accordance with law, as expeditiously as possible.

5.The learned counsel appearing for the respondents has also agreed to consider the appeal filed by the petitioner on merits and pass orders within a stipulated time.

6.Considering the facts and circumstances of the case and the limited request made by the petitioner, I am inclined to issue a direction to the first respondent to consider the appeal filed by the petitioner and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order and the petitioner is directed to forward a fresh copy of appeal dated 17.12.2018 along with the original order copy enabling the first respondent to pass appropriate orders.

7.With the above observations and directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-VIII)

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// True Copy //

Sub Assistant Registrar

klt

To

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Kumbakonam Ltd),
Kumbakonam.
2. The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam Ltd),
Nagapattinam Region,
Nagapattinam.
3. The Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam Ltd),
Vedharanyam Branch,
Nagapattinam.

+1cc to Ms.Greetha Senthilkumar, Advocate, SR.No.98345.
+1cc to Mr.D.Venkatachalam, Advocate, SR.No.97318.

W.P.No.21002 of 2019

RJI (CO)
CSR: 09/01/2020



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