



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2019

CORAM:

**THE HONOURABLE MS.JUSTICE V.M.VELUMANI**

**W.P. (MD) No.25135 of 2019**

S.Nagarajan

... Petitioner

-Vs-

1.The Managing Director

Tamil Nadu State Transport Corporation  
Head Office, Kumbakonam Region  
Railway Station Road, Kumbakonam  
Thanjavur District

2.The General Manager

Tamil Nadu State Transport Corporation  
Head Office, Karaikudi Region  
Karaikudi  
Sivagangai District

....Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to dispose the petitioner's appeal dated 29.10.2019 against the punishment order issued by the 2<sup>nd</sup> respondent in his proceedings dated 31.08.2019, within the period that may be stipulated by this Court.

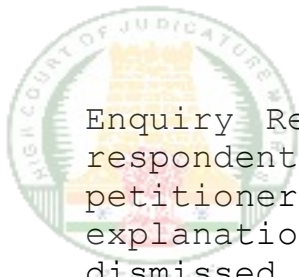
For Petitioner : Mr.C.Venkatesh Kumar  
For M/s.Ajmal Associates  
For Respondents : Mr.D.Sivaraman

**ORDER**

This Writ petition has been filed for a direction to the first respondent to dispose the petitioner's appeal dated 29.10.2019 against the punishment order issued by the 2<sup>nd</sup> respondent in his proceedings dated 31.08.2019, within a stipulated time to be fixed by this Court.

2.Mr.D.Sivaraman, learned counsel takes notice on behalf of the respondents. By consent of parties, this Writ petition is taken up for final disposal at the stage of admission itself.

3.The petitioner while serving as Conductor in the respondents Corporation at Devekottai Branch, was placed under suspension. He was issued with charge memo by the second respondent, vide his proceedings dated 20.11.2018 stating that the petitioner had received a sum of Rs.12/- each from two passengers and failed to issue tickets and thus, violated the Rules and Regulations of the Transport Corporation. The petitioner submitted a detailed explanation to the second respondent. Thereafter,



Enquiry Report, dated 21.05.2019 was communicated by the second respondent in his proceedings dated 24.05.2019, calling upon the petitioner to submit further explanation. Having received further explanation, the second respondent by order dated 31.08.2019, dismissed the service of the petitioner. The petitioner preferred an appeal before the first respondent on 29.10.2019. Since no action has been taken, the petitioner has come up with the present Writ petition.

4.Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

5.Considering the facts and circumstances of the case, without deciding the issue on merits, the first respondent is directed to dispose the appeal filed by the petitioner, dated 29.10.2019 and pass orders on merits and in accordance with law, within a period of four months 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 (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

Msa

TO

1.The Managing Director

Tamil Nadu State Transport Corporation  
Head Office, Kumbakonam Region  
Railway Station Road, Kumbakonam  
Thanjavur District

2.The General Manager

Tamil Nadu State Transport Corporation  
Head Office, Karaikudi Region  
Karaikudi  
Sivagangai District

+1 CC to M/s.D. SIVARAMAN, Advocate ( SR-101939[F] dated 27/11/2019 )

+1 CC to M/s.AJMAL ASSOCIATES, Advocate ( SR-102470[F] dated 29/11/2019 )

**W.P. (MD) No.25135 of 2019**

**27.11.2019**