

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.15192 of 2019

ORDER:

This writ petition is disposed of at the stage of admission with the consent of both the parties.

This writ petition is filed seeking the following relief :-

“....to issue an appropriate Writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in not considering the Appeal submitted by the petitioner on 24/ 12/ 2008 as arbitrary, unjust, contrary to the TSRTC Employees (C.C. & A) Regulations, 1967, discriminatory and in violation of Articles 14 and 21 of the Constitution of India and consequently direct the 2nd Respondent to consider the Appeal of the petitioner to reinstate into service by setting aside the Removal proceedings No.E1/ 1(83)/ 2003-Utnoor dated 19/06/2004 with continuity of service and all other consequential benefits.....”

Heard Sri A.G.Satyanarayana Rao, learned counsel for petitioner and Sri A.Ravi Babu, the learned Standing Counsel for respondents.

It has been contended by the petitioner that he was appointed as a Conductor with the respondents on 01.07.1987 and while discharging duties during October, 2003, he remained absent consequent upon his illness. The disciplinary authority has considered the said conduct of the petitioner as a misconduct and disciplinary proceedings were initiated against the petitioner and after conducting detailed enquiry, for the proven misconduct, the petitioner was removed from service vide proceedings dated 19.06.2004. Aggrieved thereby, the petitioner has preferred an

appeal before the 2nd respondent on 24.12.2008. But, so far, the 2nd respondent has not passed any order on the said appeal.

Learned counsel appearing for the petitioner has contended that appropriate orders be passed in the writ petition directing the 2nd respondent to consider and dispose of the appeal preferred by the petitioner in accordance with law.

The learned Standing Counsel appearing for the respondents has contended that the 2nd respondent would consider and dispose of the appeal preferred by the petitioner in accordance with law, if not already disposed of.

This Court, having considered the rival submissions of the learned counsel for the respective parties, is of the considered view that this writ petition can be disposed of directing the 2nd respondent to consider and dispose of the appeal preferred by the petitioner in accordance with law, if not already disposed of, within a period of eight weeks from the date of receipt of a copy of this order.

With the above observations, the writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

Date: 30-07-2019
Prv

