

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.47385 of 2018

ORDER:

This writ petition is filed seeking the following relief :-

“.....to issue a Writ, order or directions more in the nature of Writ of Mandamus declaring the action of the 2nd respondent in not considering the petitioner Mercy appeal dated 25.7.2018 as illegal and arbitrary and set aside the same and further direct the 2nd respondent to pass appropriate orders on the petitioner mercy appeal as per the TSRTC conduct and CC & A Regulations and Law with all consequential benefits”.

Heard Mr.P.Govinda Rajulu, learned counsel for petitioner and Mr.B.Mayur Reddy, learned Standing Counsel for respondents.

It has been contended by the petitioner that he was appointed as a Conductor during April, 1994 and while discharging his duties, he remained absent owing to ill-health during May, 2016. The respondents have construed the said conduct as a misconduct and initiated disciplinary proceedings against the petitioner. After conducting detailed enquiry, the disciplinary authority imposed punishment of removal on 08.08.2016. Thereafter, the petitioner has unsuccessfully preferred an appeal and a review.

The grievance of the petitioner is that since the competent authority has not considered the review, he has filed mercy appeal on 25.07.2018, but, so far, the 2nd respondent has not passed any order on the said mercy appeal.

Learned counsel for the petitioner submits that appropriate orders be passed in the writ petition directing the 2nd respondent to

consider and dispose of the mercy appeal preferred by the petitioner on 25.07.2018 in accordance with law.

The learned Standing Counsel appearing for the respondents has contended that the 2nd respondent would consider and dispose of the mercy appeal preferred by the petitioner in accordance with law.

This Court, having considered the rival submissions, is of the considered view that this writ petition can be disposed of directing the 2nd respondent to consider and dispose of the mercy appeal preferred by the petitioner in accordance with law 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: 19-08-2019
Prv

