



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.02.2020**

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.3392 of 2020

A.Sudalaimani

... Petitioner

/vs./

1.The Managing Director,
Tamil Nadu Transport Corporation,
Tirunelveli Division,
Tirunelveli-627 003.

2.The General Manager,
Tamil Nadu Transport Corporation,
Tirunelveli Division,
Tirunelveli-627 003.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus, to call for records pertaining to File No.9389/Sa8/ThaAPooKa/Thili2007 and quash the order dated 30.11.2019 passed by the first respondent/appellate authority as ultravires by allowing the petitioner's appeal and consequently directing the respondents to pay the petitioner's increment for 2 years with all other attended monitory benefits.

For Petitioner : Mr.P.Subbiah
For Respondents : Mr.R.Rajamohan
Standing Counsel

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.As against the original order passed by the second respondent herein dated 23.12.2008, the petitioner herein had filed an appeal before the first respondent herein on 22.01.2019. The reason assigned by the petitioner for belatedly filing the appeal is that the criminal Court had acquitted the petitioner in its judgment dated 07.08.2018 passed in C.CNo.192 of 2008. In the appeal petition dated 22.01.2019, the petitioner had raised several grounds challenging the punishment imposed by the second respondent. However, in the impugned order dated 30.11.2019, the second respondent had passed non-speaking order to the effect that the petitioner's appeal was carefully perused and there was no scope for interference.

3.No reason has been assigned by the first respondent while considering the petitioner's appeal, particularly, when the petitioner has raised several grounds challenging the reasons adduced by the second respondent while imposing the punishment.

