

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.NO.34643 OF 2014

M.Gunasekaran

...Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport Corporation,
Erode Region, Erode-638 001.
2. The General Manager,
Tamil Nadu State Transport Corporation,
Coimbatore Division,
Chennimalai Road, Erode 638 001

...Respondents

Prayer:-

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the 1st respondent to dispose of the petitioner's review petition dated 2.8.2005 pending at an early date in the light of an order of discharge dated 17.6.2005 passed in C.C. No. 5/2002 of the Sessions Judge Madurantakam.

For Petitioner : M/s.S.Grija

For Respondents : Mr.A.Sundaravadanam

ORDER

Seeking a direction to the first respondent to dispose of the review petition filed by the petitioner on 02.08.2005, the present writ petition came to be filed.

2.The learned counsel for the petitioner submitted that while the petitioner was working as a driver in the respondent Corporation, he was issued with a charge memo dated 25.04.2001 as if he was negligent in driving, which after enquiry, ended in punishment of stoppage of increment for two years with cumulative effect by proceedings dated 15.10.2001; challenging the same, he preferred an appeal, which was rejected by the

first respondent on 08.01.2002; in the mean while, the petitioner was discharged from the criminal proceedings by judgement dated 17.06.2005 passed by the learned Sessions Judge, Madurantakam in CC No.5/2002; based on the same, he preferred a review petition on 02.08.2005 before the first respondent, which is pending without any progress; and hence, this writ petition.

3.On the other hand, the learned counsel appearing for the respondents fairly submitted that the first respondent would consider the review petition filed by the petitioner and pass appropriate orders, on merits, within a time frame to be fixed by this Court.

4.Considering the limited relief sought in this writ petition, this Court directs the first respondent to dispose of the review petition filed by the petitioner on 02.08.2005, if not already disposed of, on merits and as per law and also in the light of the judgment dated 17.06.2005 passed by the learned Sessions Judge, Madurantakam in CC No.5 of 2002, within a period of eight (8) weeks from the date of receipt of a copy of this order.

5.With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

msv

To

1. The Sessions Judge, Madurantakam.
2. The Managing Director,
Tamil Nadu State Transport Corporation,
Erode Region, Erode-638 001.
3. The General Manager,
Tamil Nadu State Transport Corporation,
Coimbatore Division,
Chennimalai Road, Erode 638 001

+1cc to Mr.A.Sundaravadanam, Advocate, S.R.No.3988

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SKY(CO)
CS/24/03/2021