



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.6225 of 2021

and W.M.P.(MD).No.4825 of 2021

WEB COPY

V.Thavam

...Petitioner

Vs.

1.The Managing Director,
The Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Madurai Division,
By-pass Road,
Madurai.

2.The General Manager,
The Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Virudhunagar Region,
Virudhunagar.

3.The Branch Manager,
The Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Rajapalayam Branch,
Virudhunagar Region,
Rajapalayam,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records on the file of the 2nd respondent in connection with the impugned order of punishment passed by him vide his proceedings in Ref Legal/Sa3/4870/6B/2019 dated 3.11.2020 and quash the same as illegal and arbitrary and consequently direct the respondents to treat the suspension period as duty period and thereby consider the Petitioner's case for 2nd review promotion based on his length of service within the time limit that may be stipulated by this Court.

For Petitioner : Mr.G.Thalaimutharasu

For Respondents : Mr.J.Senthilkumaraiah
Standing Counsel

O R D E R

Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents.

2.As against the impugned order of punishment dated 03.11.2020, the petitioner herein has filed an appeal before the second
<https://hcservices.ecourts.gov.in/hcservices/>



respondent on 15.12.2020, which is said to be pending. While that being so, it would not be permissible to parallelly adjudicate the same punishment order before this Court by invocation of Article 226 of the Constitution of India.

3.Nevertheless, if the appellate authority is directed to dispose of the appeal within a stipulated time, the ends of justice could be secured.

4.In the light of the above observations, without going into the merits of the claim made by the petitioner, in the present writ petition, there shall be a direction to the second respondent to consider the appeal dated 15.12.2020, within a period of three months from the date of receipt of a copy of this order.

5.This writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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**+1 CC to M/s.G.THALAIMUTHARASU,Advocate (SR-12670[F]
dated 22/03/2021)**

W.P. (MD) No.6225 of 2021

19.03.2021

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