



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **01.06.2021**

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.8944 of 2021

P.Lenin

... Petitioner

Vs.

1.The Managing Director,
The Tamil Nadu State Transport Corporation(Madurai) Ltd.,
Dindigul Region,
Bye-Pass Road,
Madurai.

2.The General Manager,
The Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Dindigul Region,
Bye-Pass Road,
Dindigul.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the first respondent to pass orders on the petitioner's appeal dated 23.09.2020 within a time frame stipulated by this Court.

For Petitioner

: Mr.G.M.Xavier

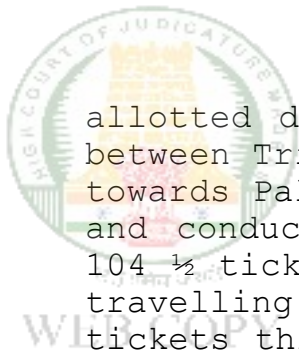
ORDER

This writ petition has been filed by the petitioner seeking for issuance of a Writ of Mandamus, directing the first respondent to pass orders on the petitioner's appeal dated 23.09.2020, within a time frame to be stipulated by this Court.

2. In view of the order going to be passed, no notice is necessary to the respondents.

3. The brief facts of the case are as follows:

The petitioner joined the services of the first respondent Corporation as Conductor with effect from 30.12.1998 and he was promoted as Special Grade Conductor. He has rendered 23 years of unblemished service and now, he is working at Dindigul-II Region of the first respondent Corporation. While so, on 19.08.2019, he was



allotted duty to ply the bus bearing Registration No.TN 57 N 2302 between Trichy and Palani. While the bus was proceeding from Trichy towards Palani, near Ma.Mu.Kilurpirivu, the Checking Inspectors came and conducted inspection and found that the petitioner had issued 104 ½ tickets to the passengers and among them, 49 passengers were travelling from Vadamadurai and they were issued with Rs.15/- tickets through ETM machine. During inspection, two passengers who took tickets did not produce their tickets to the Checking Inspectors and based on that, without proper enquiry, the Checking Inspectors alleged that though the petitioner received money, did not issue tickets to those two passengers and thus, misappropriated the Corporation fund. Based on that, enquiry proceedings were initiated and thereafter, it was concluded in a punishment of reduction of three stage wages on basic pay of his present salary treating his suspension period of thirty days ie., from 20.08.2019 to 18.09.2019 as eligible leave. Against the said punishment order, the petitioner had preferred an appeal before the first respondent on 23.09.2020 and now the petitioner is before this court with the above writ petition seeking a direction to dispose of the aforesaid appeal by the first respondent within a reasonable time frame.

4. Considering the facts and circumstances of the case and the submissions made by the learned counsel appearing for the petitioner, the first respondent is directed to dispose of the appeal filed by the petitioner dated 23.09.2020, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CSII)

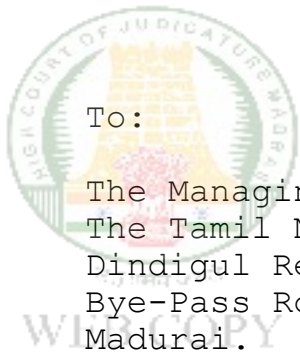
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/ /2021

Sub Assistant Registrar(CS)

Note: (i) 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.

PM



To:

The Managing Director,
The Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Dindigul Region,
Bye-Pass Road,
Madurai.

+1 CC to M/s.G.M.XAVIER, Advocate (SR-18635[F] dated 02/06/2021)

W.P (MD) No.8944 of 2021
01.06.2021

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