



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2021

CORAM:

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P. (MD)No.3753 of 2018

and

W.M.P. (MD)No.3882 of 2018

WEB COPY

P.Karuthathurai

...Petitioner

/Vs./

1.The Principal Secretary to Government
Home (Tr.IV)) Department,
Secretariat, Chennai - 9.

2.The Transport Commissioner,
O/o.Transport Commissioner,
Chepauk, Chennai - 600 005.

...Respondents

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the Respondent to promote the petitioner to the post of Superintendent of Transport Department without reference to the pendency of the Tribunal for Disciplinary proceedings, Tirunelveli pending in TDP No.11 of 2012 and 12 of 2012 with retrospective effect from 28/06/2013 with consequential promotion and other service benefits.

For Petitioner : Mr.S.Balamurugan

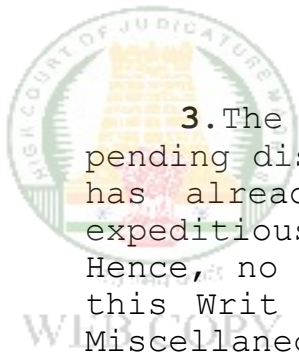
For Respondents : Mr.K.S.Selvaganesan

Standing Counsel for State

ORDER

The writ petitioner has filed W.P.(MD)No.19590 of 2018 challenging charge memo, in respect of which, appeals have been filed before the Tribunal for Disciplinary Proceedings. Taking note of the pendency of the appeals, that writ petition was disposed on 27.06.2019 directing the Tribunal to dispose the appeals, within a period of six months. According to the petitioner, the Tribunal is yet to dispose the same.

2.Be that as it may, the petitioner has filed the present writ petition in 2018 seeking a Writ of Mandamus, directing the respondents to promote the petitioner to the post of Superintendent of Transport Department, without reference to the pendency of the appeals before the Tribunal.



3.The mandamus as sought for is not liable to be granted pending disposal of the appeals before the Tribunal. The petitioner has already obtained an order in W.P.(MD)No.19590 of 2018 for expeditious disposal of those appeals and that order is reiterated. Hence, no further orders are called for in this writ petition and this Writ Petition is closed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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.

To

1.The Principal Secretary to Government
Home (Tr.IV)) Department,
Secretariat, Chennai - 9.

2.The Transport Commissioner,
O/o.Transport Commissioner,
Chepauk, Chennai - 600 005.

+1 CC to M/s.SPL.GP (SR-33943[F] dated 10/11/2021)

Order made in
W.P. (MD)No.3753 of 2018

Dated:
09.11.2021

TSK(CO)
GC/SKN(22.11.2021) 2P 4C