



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.11.2021

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD)No.19636 of 2021

and

W.M.P(MD)No.16321 of 2021

WEB COPY

T.Meenakshi Sundaram (Junior Engineer)
87 TH 2053/1775,
Dheeran Nagar Branch,
Tamil Nadu State Transport Corporation,
Trichy.

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam Limited),
Peria Milagu Parai, Trichy Region,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam Limited),
Trichy Region,
Trichy.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to consider the appeal representation dated 30.12.2019 made by the petitioner against the punishment order passed by the 2nd Respondent dated 22.11.2018 in Proceedings No. TNSTC/KUM/TRY/D8/6317/2018 on the file of the 1st respondent and setaside the Punishment Order.

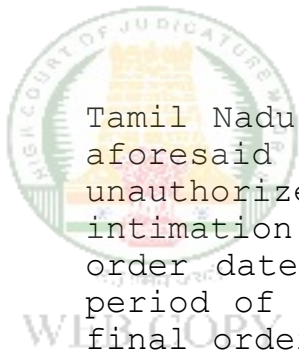
For Petitioner : Mr.Sadasharam

For Respondents : Mr.D.Sivaraman,
Standing Counsel for State.

ORDER

The writ petition has been filed for the issuance of a Writ of Mandamus, directing the first respondent to consider the appeal representation dated 30.12.2019 made by the petitioner against the punishment order passed by the second respondent dated 22.11.2018 in Proceedings No. TNSTC/KUM/TRY/D8/6317/2018 on the file of the 1st respondent and set aside the Punishment Order.

2. According to the petitioner, he is working as a Junior Engineer in the second respondent Corporation and charges have been framed by the second respondent under Rule 28 (Y) and 28 (AZ) of the



Tamil Nadu State Transport Corporation General Service Rules . The aforesaid charge was framed against the petitioner for the unauthorized absence from 17.09.2018 to 30.09.2018 without any prior intimation. Thereafter, the second respondent passed the punishment order dated 22.11.2018 whereby yearly increment was withheld for a period of three months with cumulative effect been passed. The said final order has been passed by the second respondent on the charges framed against him for the violation of Rule 28 (Y) and 28 (AZ) of the Tamil Nadu State Transport Corporation General Service Rules, causing distress and mental agony to the petitioner.

3. Challenging the aforesaid final order passed, writ petitioner has preferred an appeal before the first respondent on 30.12.2019 and the said appeal is still pending. Therefore he seeks disposal of the appeal at the earliest.

4. The learned Standing Counsel for the respondent submitted that the aforesaid appeal will be considered and appropriate decision will be taken on its own merits and in accordance with law.

5. In view of the aforesaid submissions made by the parties concerned, this Court is inclined to direct the first respondent to consider the petitioner's appeal petition dated 30.12.2019 and pass final orders in the appeal on its own merits and in accordance with law as expeditiously as possible, preferably within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. The writ petition stands disposed of, with the above directions. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mnr

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 Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam Limited),
Peria Milagu Parai, Trichy Region,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam Limited),
Trichy Region,
Trichy.

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-33573[F] dated 02/11/2021)

W.P (MD) No.19636 of 2021

and

W.M.P (MD) No.16321 of 2021

01.11.2021

SS (CO)

GC/SKN(18.11.2021) 3P 4C