



W.P.(MD)No.4460 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.4460 of 2020

B.Ravichandran

... Petitioner

Vs.

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

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

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to grant monetary and promotional benefits to the petitioner by cancelling the punishment imposed on the petitioner in the light of the judgment passed in S.T.C.No.316 of 2009 dated 03.03.2014 and based on his representation dated 26.10.2018.



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For Petitioner : Mr.D.Anbarasu
For Respondents : Mr.P.Balasubramanian
Standing Counsel

ORDER

This Writ Petition has been filed for a direction to the respondents to grant monetary and promotional benefits to the petitioner by cancelling the punishment imposed on the petitioner in the light of the judgment passed in S.T.C.No.316 of 2009 dated 03.03.2014, based on the representation dated 26.10.2018 submitted by him.

2. The case of the petitioner is that the petitioner is working as a Driver in the respondents Transport Corporation. He joined as a Driver on 25.04.2001 and his services were regularised and working as a permanent Driver. As per the Rules, after completion of six years, the petitioner is entitled to be promoted as a Senior Driver. The next level of promotion will be on completion of 11 years and thereafter, the next level of promotion will be on completion of 20 years. Further, the promotion was given to the



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petitioner only on completion of six years of service alone, but, such a promotion was given only in the year 2014. Further, the petitioner was placed under suspension on 01.06.2009 on the ground of criminal case. Thereafter, the Criminal Court, after trial, acquitted the petitioner from the charges and the said suspension order was revoked. But, the respondents Transport Corporation imposed a punishment of stoppage of increment for two years with cumulative effect. Hence, he made a representation to the respondents on 26.10.2018 for granting monetary and promotional benefits. But, till date, no order was passed. Therefore, the petitioner has filed the present Writ Petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the concerned respondent is directed to dispose of the representation of the petitioner, dated 26.10.2018, on merits and in accordance with law, within a specified period.

4. The learned Standing Counsel appearing for the respondents has no serious objection for such an order being passed by this Court.



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5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the concerned respondent to consider the petitioner's representation, dated 26.10.2018 and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

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Index : Yes / No

Speaking Order : Yes / No

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