



WEB COPY



W.P.No.30516 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.30516 of 2023
and
W.M.P.No.30154 of 2023

J.S.Charles Selvadurai

...Petitioner

Vs

1.M/s.Metropolitan Transport Corporation,
Rep. by its Senior Deputy Manager (HRD),
No.1, Pallavan Salai, Chennai – 600 002.

2.M/s.Metropolitan Transport Corporation,
Rep. by its Managing Director,
No.1, Pallavan Salai, Chennai – 600 002.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records of the 1st respondent in Proceeding Order No.6391/சுபி(ஒ.ந)/மாபேபாக/2022 dated 26.08.2023 and quash the same and consequently direct the respondents to restore the original salary of the petitioner and return the recovered amount made from the salary of the petitioner.



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For Petitioner : Mr.D.Soundar Raj

For Respondents : Mr.R.Balaji,
Standing Counsel

ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The learned counsel for the respondents submitted that as against the impugned order of punishment, the petitioner had preferred an appeal before the second respondent herein.

3. A perusal of the affidavit filed in support of this Writ Petition would also indicate that the appeal of the petitioner dated 12.09.2023 is pending before the second respondent herein. The petitioner has now challenged the order of punishment when the appeal petition is pending.

4. I am of the view that both these proceedings cannot go on parallely. Since the petitioner had preferred a statutory appeal before the



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appropriate authority, the proper recourse would be to direct the second respondent to complete the appeal proceedings within a stipulated time, by which the ends of justice could be secured.

5. Accordingly, there shall be a direction to the second respondent herein to dispose of the appeal preferred by the petitioner dated 12.09.2023, if not already disposed of, on its own merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

30.10.2023

Index:Yes/No

Speaking order/Non-speaking order

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M.S.RAMESH,J.

hvk

To

- 1.The Senior Deputy Manager (HRD),
Metropolitan Transport Corporation,
No.1, Pallavan Salai, Chennai – 600 002.
- 2.The Managing Director,
Metropolitan Transport Corporation,
No.1, Pallavan Salai, Chennai – 600 002.

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