



W.A.(MD)No.1173 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :16.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

AND

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

W.A.(MD)No.1173 of 2013

and

M.P.(MD)No.1 of 2013

R.Manikandan

... Appellant / Petitioner

Vs.

1.The General Manager,
Tamil Nadu State Transport Corporation,
Bye Pass Road,
Madurai.

2.The Enquiry Officer,
Tamil Nadu State Transport Corporation,
Bye Pass Road,
Madurai.

3.R.Ramaswamy
Enquiry Officer,
Tamil Nadu State Transport Corporation,
Madurai.



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4. The Branch Manager,
Tamil Nadu State Transport Corporation,
Thirupuvanam,
Sivagangai District.

... Respondents / Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order dated 03.10.2013 made in W.P.(MD)No.16375 of 2013 on the file of this Court.

For Appellant : No Appearance
For Respondents : Mr.S.C.Herold Singh
Standing Counsel
for R1, R2 and R4
No-appearance for R3

JUDGMENT

(Judgment of the Court was delivered by **R.SURESH KUMAR, J.**)

This Writ Appeal is directed against the order passed by the Writ Court dated 03.10.2013 made in W.P.(MD)No.16375 of 2013.

2. The learned Standing Counsel appearing for the respondent Nos.1, 2 and 4 has submitted that the appellant/petitioner had filed the said



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writ petition against the show cause notice issued by the employer, where the writ Court directed the employee to give reply to the show cause notice.

Aggrieved over the same, the present Intra-Court Appeal has been filed.

3. Thereafter, the appellant/employee had given a reply and based on the same, enquiry was conducted and the final order also had been passed on 30.09.2013, where the punishment of withholding the increment with cumulative effect for a period of two years was inflicted.

4. Therefore, virtually nothing survives in this writ appeal, he contended.

5. Though there has been no representation for the appellant, we have gone through the materials placed before this Court and have considered the said submission made by the learned Standing counsel appearing for the respondent Nos.1, 2 and 4/employer where he has produced a copy of the final order dated 30.09.2013.



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6. In view of the aforestated development where the disciplinary proceedings concluded with the said order dated 30.09.2013, the present challenge which has been made only against the show cause notice cannot have an independent and exclusive stand and therefore, nothing survives for further adjudication in this writ appeal.

7. Accordingly, this Writ Appeal is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is also closed.

(R.S.K., J.) & (K.K.R.K, J.)

16.06.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

ssb



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AND
K.K.RAMAKRISHNAN, J.**

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