



W.P.(MD).No.16132 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.07.2023

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.16132 of 2023

G.Gopikannan

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Kum) Ltd.,
TNSTC Head Office,
No.27, Railway Station New Road,
Kumbakonam-612 001.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kum) Ltd.,
Karaikudi Region,
Maruthupathi,
Managiri, Karaikudi,
Sivagangai District.

... 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 dispose the petitioner's appeal dated 15.05.2021 preferred as against the Final Order in TNSTC/DS/A4/24/2019 dated 18.04.2021 passed by the 2nd respondent, within stipulated time to be fixed by this Court.



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For Petitioner : Mr.SP.Vijaynivas

For Respondents : Mr.K.Jegadees Balan
Standing Counsel

ORDER

The present writ petition has been filed seeking direction to the 1st respondent to dispose the petitioner's appeal dated 15.05.2021 preferred as against the Final Order in TNSTC/DS/A4/24/2019 dated 18.04.2021 passed by the 2nd respondent, within stipulated time to be fixed by this Court.

2. By consent of both the parties, this writ petition is taken up for final disposal at the stage of admissions itself.

3. The petitioner is working as driver in TNSTC (Kumbakonam) Limited at Devakottai Branch. On 11.11.2019, when the petitioner was driving the transport corporation bus near Murugabavan, a person suddenly crossed the vehicle thereby got injuries and on the way to hospital, he succumbed to the injuries. In respect to that, an F.I.R was registered by Dindigul Town West Police station in Crime No.427 of 2019. Thereafter, the petitioner filed a quash



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petition before this Court in Crl.O.P.(MD)No.2882 of 2020. In the meanwhile, the police filed a report before the concerned criminal Court as “Action Dropped”. However, the management issued a suspension order, dated 12.11.2019 which was followed by a charge memo, dated 03.01.2020. Thereafter, a domestic enquiry was also conducted by the management on the basis of the report given by the enquiry officer on 18.02.2021. The 2nd respondent passed a final order on 18.04.2021 wherein the petitioner’s increment was stopped with cumulative effect for 3 years.

4. As against the said final order, the petitioner preferred an appeal before the 1st respondent on 15.05.2021. However, the 1st respondent did not pass any order in the said appeal. There is no communication to that effect also. Hence, the petitioner sent a reminder to the 1st respondent on 18.01.2023 seeking disposal of his appeal. Even thereafter, his representation is of no avail.

5. Heard Mr.SP.Vijaynivas, learned counsel for the petitioner and Mr.K.Jegadees Balan, learned standing counsel.



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6. This Court is inclined to direct the 1st respondent to dispose of the appeal, dated 15.05.2021 as against the final order, dated 18.04.2021 passed by the 2nd respondent within a period of four (4) weeks from the date of receipt of a copy of this order.

7. With the above said direction, this Writ Petition stands disposed of.

No costs.

04.07.2023

NCC : No
Index : No
Internet : No
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To

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Maruthupathi,
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L.VICTORIA GOWRI, J.

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