



W.P.(MD).No.24614 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.24614 of 2023

P.Mahendran

...Petitioner

Vs.

1. The Management of Tamil Nadu State
Transport Corporation (Madurai) Limited,
Represented by its Managing Director,
Madurai Bye-pass Road,
Madurai.

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

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to revise and cancel the punishment of stoppage of the petitioner's annual increment for two years with cumulative effect imposed by the second respondent in Ref: O Na Thu/5/A NA/36, dated 25.06.2010 in terms of Clause 61 of Settlement under Section 12(3) of I.D. Act dated 30.09.1992 in the light of the judgment of acquittal rendered in criminal case in C.C.No.13 of 2010, dated 16.10.2015 by the Judicial Magistrate No.II, Virudhunagar.



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For Petitioner : Mr.A.Rahul

For Respondents : Mr.S.Raja
Standing Counsel

ORDER

The present Writ Petition has been filed by a Driver of the first respondent Transport Corporation seeking to dispose of his representation dated 01.11.2022 addressed to the first respondent in the writ petition.

2. According to the learned counsel appearing for the writ petitioner, disciplinary proceedings were initiated as against the writ petitioner in view of an accident that took place on 09.12.2009 and punishment of stoppage of increment was imposed on the writ petitioner. However, he was acquitted by the criminal Court on 16.10.2015. Thereafter, the petitioner has submitted an appeal to the first respondent herein on 15.07.2010. However, the said appeal has not yet been disposed of. The petitioner again sent a representation on 22.09.2017 requesting the first respondent to consider the cancellation of the punishment in the light of the judgment of the Criminal Court.



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3. Admittedly, the said representation is yet to be disposed of and is pending on the file of the first respondent herein.

4. In view of the above said facts, there shall be a direction to the first respondent herein to dispose of the representation given by the writ petitioner, on 22.09.2017, in the light of the judgment in C.C.No.13 of 2010 on the file of the Judicial Magistrate No.II, Virudhunagar, dated 16.10.2015 within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above said directions, this writ petition stands disposed of
There shall be no order as to costs.

11.10.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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- To
1. The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Madurai Bye-pass Road,
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 2. The General Manager,
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R.VIJAYAKUMAR,J.

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