



W.P(MD)No.25508 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.10.2023**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.25508 of 2023

T.Vijayakumar

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation
TNL Ltd.,
Thoothukudi Road, KTC Nagar,
Tirunelveli-627 011.

2.The General manager,
TNSTC (TNL) Ltd.,
Nagercoil Region,
Ranithottam,
Nagercoil-629 001,
Kanyakumari District.

3.The Branch Manager,
TNSTC (TNL) Ltd.,
Thiruvattar Depot,
Nagercoil Region,
Kanyakumari District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondent consider the petitioner's representations, dated on 08.01.2022, 20.11.2022 and petitioner's reminder 25.05.2023 and to pass on order to



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set aside the order of punishment of stoppage of increment for 3 years with cumulative effect in No.5183/legal7/olungu/Tha.Aa.Po.Ka.(Thili) Nagar/2013, dated 01.07.2015 and grant salary and other service benefits on par with the petitioner's junior Mr.Kalaiselvan, Special Grade Driver (Level-6) Old No.7122 and the petitioner's immediate senior Mr.S.Swaminathan, Special Grade Driver (Level-6) Old No.7072 of Tamil Nadu State Transport Corporation, Tirunelveli Ltd., Thiruvattar Depot, Kanyakumari District, within a time stipulated by this light of the judgment of acquittal, dated 28.10.2021 in C.C.No.856 of 2013 on the file of the Judicial Magistrate No.II, Madurai.

For Petitioner : Mr.K.P.Krishnadoss

For Respondents : Mr.K.Ramaiah
Standing Counsel

ORDER

The present writ petition has been filed seeking a Mandamus, directing the respondents to consider the representations of the petitioner, dated 08.01.2022, 20.11.2022 and pass orders within a time frame fixed by this Court.

2. The petitioner who was working as a Senior Driver was involved in an accident and implicated in a criminal case. In departmental proceedings, punishment of stoppage of increment for a



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period of 3 years with cumulative effect was passed on 01.07.2015.

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3. On 21.10.2021, the petitioner was acquitted in C.C.No.856 of 2013 on the file of the Judicial Magistrate No.II, Madurai. Thereafter, the petitioner has sent a representation to the 1st respondent herein on 20.11.2022 and again on 25.05.2023 seeking his interference in the order of imposition of punishment. In the said representations, the petitioner has requested the 1st respondent to set aside the order of punishment imposed in the light of his acquittal in criminal case.

4. On instructions, the learned Standing Counsel appearing for the 1st respondent submits that they have received such representations.

5. In view of the above said facts, the 1st respondent is directed to consider the request of the writ petitioner for setting aside the punishment on merits and in accordance with law and pass orders within a period of eight (8) weeks from the date of receipt of a copy of this order.



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6. With the above said observations, this Writ Petition stands disposed of. No costs.

30.10.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To

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R.VIJAYAKUMAR,J.

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Order made in
W.P(MD)No.25508 of 2023

Dated:
30.10.2023