



W.P.(MD).No.26657 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.26657 of 2023

and

W.M.P(MD) No. 22908 of 2023

Vijayan

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam Division,
Kumbakonam.

2. The General Manager,
Tamil Nadu State Transport Corporation Limited,
Karaikudi Region,
Karaikudi,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records relating to the impugned order issued by the second respondent vide: TNSTC/KKD/DS-3102/FATO1/D5-171/2022, dated 26.09.2023 and quash the same.



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For Petitioner : Mr.R.Senthilkumar
For Respondents : Mr.K.Jagadees Balan
Standing Counsel

ORDER

The present writ petition has been filed by the Driver of the respondent Transport Corporation seeking to quash the second show cause notice issued by the second respondent, based upon the enquiry report.

2. The writ petitioner had contended that an *ex parte* enquiry has been conducted and report has been submitted behind the back of the writ petitioner and hence, he challenges the second show cause notice.

3. Now it is brought to the notice of this Court that the final orders have been passed by the second respondent on 21.10.2023, wherein stoppage of increments for 36 months with cumulative effect has been passed.

4. According to the learned counsel for the writ petitioner, enquiry report has been furnished to him only today and without annexing a copy of



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the enquiry report, second show cause notice has been issued.

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5. Since the final orders have already been passed in the departmental proceedings, no further orders could be passed in the writ petition challenging the show cause notice. The writ petitioner is at liberty to challenge the final orders before the appellate authority.

6. With the above said observations, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

09.11.2023

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

1. The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam Division,
Kumbakonam.
2. The General Manager,
Tamil Nadu State Transport Corporation Limited,
Karaikudi Region,

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Karaikudi,
Sivagangai District.



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R.VIJAYAKUMAR,J.

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