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W.P.No.18593 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2024

CORAM

THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

**W.P.No.18593 of 2020**  
**and**  
**W.M.P. No. 23063 of 2020**

P.Janaki Raman

... Petitioner

Vs.

The Managing Director,  
Tamil Nadu Transport Corporation,  
V-Ko-II, Lit, Salamedu,  
Villupuram.

... Respondent

**Prayer:** Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for records of the respondent dated 28.02.2020 in Ku.En.145009/Sa4/ThaAPoKa(Ve) Vae.Ma/2016 and quash the same and consequently direct the respondent to dispose of the appeal on merits.

For Petitioner : Mr. M.Nuzhath Khanam  
for Mr. I.Kowser Nissar

For Respondent : Mr. M.Aswin

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## **ORDER**

The instant Writ Petition has been filed challenging the order of dismissal of the appeal preferred by the petitioner, vide order dated 28.02.2020.

2. The learned counsel for the petitioner would vehemently submit that, since the respondent did not dispose of the appeal, he filed a Writ Petition before this Court in W.P. No. 27863 of 2019, wherein this Court directed the respondent to dispose of the appeal on its own merits. Whereas, the respondent, by a cryptic order, dismissed the appeal on the sole ground that the appeal is hit by limitation, but according to the petitioner, the appeal petition preferred within time. Therefore, the learned counsel prayed to interfere with the impugned order and seeks an order of remand.

3. The learned counsel for the respondent would strongly object to the contention raised by the learned counsel for the petitioner. He would submit that the petitioner was imposed with punishment on 09.10.2003, and that he preferred an appeal after a lapse of 16 years. Therefore, there is a huge delay and laches in the matter, and, according to the Standing Order, the appeal has



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to be preferred within 90 days. Therefore, there is no infirmity in the order of the appellate authority.

4. I have given my anxious consideration to the submissions made on either side.

5. It is an admitted fact that punishment was imposed against the petitioner on 09.10.2003. Though the learned counsel for the petitioner would submit that he preferred the appeal within time, there are no materials before this Court to substantiate such contention. However, the representation, which was sent to the respondent in 2019, was directed to be considered by the respondent within a period of twelve weeks by way of Writ Petition in W.P. No. 27863 of 2019, and that too on its own merits.

6. From the perusal of the impugned order, this Court is able to find that the appeal preferred beyond the period of limitation and with huge delay. Therefore, the dismissal of appeal by the respondent is well within the contours of rules. Therefore, there are no grounds to interfere with the order passed by the respondent.



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7. In the result, this Writ Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed. No costs.

**23.10.2024**

kv

Index : Yes/No

Speaking order /Non Speaking Order

Neutral Citation : Yes/No

To

The Managing Director,  
Tamil Nadu Transport Corporation,  
V-Ko-II, Lit, Salamedu,  
Villupuram.



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**C.KUMARAPPAN, J.**

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