



WP(MD) No.18113 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.08.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.18113 of 2024
and
W.M.P(MD)No.15462 of 2024

G.Sugumaran

... Petitioner

Vs.

1.The Managing Director

The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
TNSTC Head Office,
No.27, Railway Station New Road,
Kumbakonam – 612 001.

2.The General Manager

The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Nagapattinam Retion,
Vellipalayam,
Nagpattinam.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus call for records relating to the impugned order passed by the 2nd respondent in TNSTC/Kum/Legal/L2/3030/2023 dated 11.05.2023 and quash the same as illegal and further directing the 1st respondent to provide duty to the petitioner forthwith.

For Petitioner : Mr.S.P.Vijay Nivas

For Respondent : Mr.K.Jagadees Balan

Standing Counsel

ORDER

Heard Mr.SP.Vijay Nivas, learned counsel appearing for the petitioner and Mr.K.Jagadees Balan, learned Standing Counsel appearing for the respondents.

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



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3.The petitioner has filed this writ petition challenging the order, dated 11.05.2023 and to direct the first respondent to reinstate him into service.

4. The petitioner has involved in a criminal case for having caused an accident and in this regard, a case has been registered and pending against him in C.C.No.426 of 2012, on the file of the Judicial Magistrate No.I, Mannargudi. In fact, at the conclusion of the proceedings, the petitioner was convicted for two years imprisonment along with Rs.10,000/- fine vide judgment, dated 28.10.2022. However, the petitioner claims that the order of punishment has been kept under suspension and the petitioner has been released on bail on the condition that he has to sign before the jurisdictional Police Station on the first week of every month. So the petitioner claims that he need not be kept out of service and he can be reinstated.

5. It is the respondents who had to get convinced in reinstating the petitioner even when the appeal filed by the petitioner is pending. Since the petitioner has already caused an accident, for which,



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he has also got convicted, it is difficult for the petitioner to expect the respondent to consider his claim for reinstatement before the disposal of the Criminal Appeal filed by him.

6. However, the petitioner is at liberty to submit a fresh representation by stating the grounds of his appeal and on receipt of the same, the respondents shall consider and pass orders on merits. It is also needless to state that the petitioner should endeavour to get the appeal disposed at the earliest.

7. With the above observation, this writ petition is **disposed of**. No costs. Consequently, connected miscellaneous petition is closed.

01.08.2024

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



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R.N.MANJULA, J.

RM

Order made in
W.P.(MD)No.18113 of 2024

01.08.2024