



W.P(MD) No.20034 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.20034 of 2024

and

W.M.P(MD)No.16987 of 2024

V.Ramesh Kumar

... Petitioner

Vs.

1.The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Kumbakonam Region,
Kumbakonam,
Thanjavur District.

2.The Enquiry Officer,
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Kumbakonam Region,
Kumbakomam,
Thanjavur District.

... Respondents

PRAYER: PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondent No.2 herein to permit the petitioner to be assisted by either an Advocate or an Office bearer of the Tamil Nadu State Transport Corporation Stop Corruption Union in the disciplinary proceedings initiated by the respondent No.1 by issuing charge memo in Ref.No.TNSTC/KUM/DS-16740/MIA03/D10-2386/2023, dated 06.12.2023.



WEB COPY



W.P(MD) No.20034 of 2024

For Petitioner : Mr.D.Sivaraman

For Respondents : Mr.K.Ramaiah
Standing Counsel

* * * * *

ORDER

The instant writ petition has been filed by a Special Grade Driver working in the respondent transport corporation, seeking a mandamus as against the respondents to permit him to take the assistance of an advocate or an office bearer of the Tamil Nadu State Transport Corporation Stop Corruption Union in the disciplinary proceedings initiated by the first respondent.

2.The petitioner herein was issued with a charge memo on 06.12.2023. The management has appointed a practising advocate as an enquiry officer. When the petitioner had attempted to engage an advocate to assist him, it was resisted by the management. Hence the present writ petition has been filed.

3.The learned Standing Counsel appearing for the respondents submits that the management has decided to recall the appointment of an advocate as an enquiry officer and they would appoint some other person as an enquiry officer. The petitioner would be entitled to have an assistance of any serving employee



W.P(MD) No.20034 of 2024

of the transport corporation to assist him in the disciplinary proceedings. In case, if the management engages any legally trained person either as an enquiry officer or the presenting officer, the petitioner is at liberty to revive his request to seek assistance of an advocate.

4. With the above said observations, this writ petition stands disposed of.

No costs. Consequently, connected miscellaneous petition is also closed.

30.08.2024

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

RJR



WEB COPY



W.P(MD) No.20034 of 2024

R.VIJAYAKUMAR, J.

RJR

W.P.(MD)No.20034 of 2024
and
W.M.P(MD)No.16987 of 2024

30.08.2024