



W.A.No.688 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 19.03.2025

CORAM

**THE HONOURABLE MR.JUSTICE R.SURESH KUMAR
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.A.No.688 of 2023
and
C.M.P.No.6823 of 2023**

K.Palanivel

... Appellant

-Vs-

1. The Managing Director,
Tamil Nadu State Transport Corporation,
Salem Division,
No.12, Ramakrishna Road,
Salem - 7.

2. The General Manager,
Tamil Nadu State Transport Corporation,
Salem Division,
No.12, Ramakrishna Road,
Salem - 7.

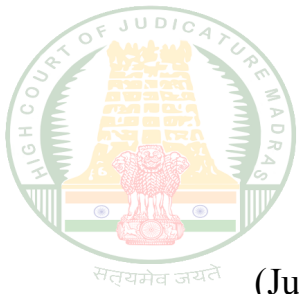
... Respondents

PRAYER : Appeal under Clause XV of Letters Patent, against the order dated 19.01.2023 made in W.P.No.1200 of 2023.

For Appellant : Mr.V.Elangovan

For Respondents : Mr.K.Raja
Standing Counsel

J U D G M E N T



W.A.No.688 of 2023

(Judgment of the Court was delivered by **R.SURESH KUMAR, J.**)

WEB COPY

This intra Court appeal has been directed against the order dated 19.01.2023 made in W.P.No.1200 of 2023.

2. Before the writ Court, the charge memo dated 31.05.2022 was under challenge. The learned Judge having gone through the merits of the case has given a direction by disposing the writ petition to the second respondent in the writ petition to complete the disciplinary proceedings within a period of eight weeks from the date of receipt of a copy of that order and directed the appellant / petitioner to face the enquiry in the manner known to law.

3. Though against the said order, the present writ appeal has been filed, today when the writ appeal is taken up for final hearing, the learned counsel appearing for the appellant would submit that, the time limit granted by the writ Court since has already been lapsed, if the further time is fixed by this Court, the appellant / petitioner is ready and willing to face the enquiry which should be properly conducted in the manner known to law.

4. We have also heard Mr.K.Raja, learned Standing Counsel appearing



W.A.No.688 of 2023

for the respondents, who, would submit that, the enquiry would be conducted in a fair manner by giving a full opportunity to the appellant / petitioner.

5. Recording these submissions made by the learned counsel appearing for both sides, this writ appeal is disposed of with the following orders:

(i) that the appellant / petitioner shall face the enquiry and in this regard the Enquiry Officer if not already been appointed shall be appointed immediately, before whom, on receipt of the notice, the appellant / petitioner shall appear and the enquiry should be conducted in the manner known to law by giving full opportunity to the appellant / petitioner to adduce the evidence on his behalf.

(iii) During the enquiry, if any witnesses is examined on behalf of the prosecution side, the chance of the cross-examination also shall be provided to the appellant / petitioner.

(iii) After completing the enquiry, based on the Enquiry Officer's report, further action can be decided by the respondents. The outer limit to complete the enquiry and to pass final orders is fixed at three months from the date of receipt of a copy of this judgment.

6. With these additional directions, the order impugned passed by the writ Court since is to be approved, this Writ Appeal is accordingly disposed of.



W.A.No.688 of 2023

However, there shall be no order as to costs. Consequently, connected

miscellaneous petition is closed.

(R.S.K., J.) (A.D.M.C., J.)
19.03.2025
(2/2)

NCC : Yes / No

Index : Yes / No

Speaking Order : Yes / No

vji

To

1. The Managing Director,
Tamil Nadu State Transport Corporation,
Salem Division,
No.12, Ramakrishna Road,
Salem - 7.
2. The General Manager,
Tamil Nadu State Transport Corporation,
Salem Division,
No.12, Ramakrishna Road,
Salem - 7.



WEB COPY



W.A.No.688 of 2023

**R.SURESH KUMAR, J.
and
A.D.MARIA CLETE, J.**

vji

**W.A.No.688 of 2023
and
C.M.P.No.6823 of 2023**

**19.03.2025
(2/2)**