



W.P.(MD).No.31080 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.01.2025

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.31080 of 2024

and

W.M.P.(MD).No.26081 of 2024

Velmurugan

... Petitioner

Vs

1. The Managing Director,
TNSTC,
Kumbakonam Limited,
Pudukottai Region,
Pudukottai District.

2. The General Manager,
TNSTC,
Kumbakonam Limited,
Pudukottai Zonal,
Pudukottai District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for records relating to the impugned order passed by the 2nd respondent in his proceedings த.அ.போ/கும்ப/புது/எஸ்.எஸ்/எஸ்.எம்./28 dated 15.11.2024 and quash the same as illegal.

For Petitioner : Mr.V.NirmalKumar
for Mr.R.Rajesh

For Respondents : Mr.K.Ramaiah
Standing Counsel



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ORDER

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The instant Writ Petition has been filed by a Driver of the respondent transport corporation, challenging the order passed by the second respondent herein on 15.11.2024.

2. The petitioner while he was working as a Driver, was involved in an accident on 17.10.2019. A case was registered as against the writ petitioner. The petitioner was issued with a charge memo and final orders were passed in the disciplinary proceedings on 28.07.2020, imposing punishment of postponement of increment for a period of two years with cumulative effect.

3. Challenging the above said order, the petitioner has preferred an appeal to the first respondent herein on 23.06.2023. Since, the said appeal was not disposed of, the petitioner has filed a writ petition in W.P(MD).22585 of 2023, seeking a mandamus to dispose of the appeal. This Court by an order dated 15.09.2023, had directed the respondents to dispose of the appeal within a period of twelve weeks. Though the order had directed the Managing Director to dispose of the appeal, the present impugned order has been passed by the General Manager on 15.11.2024, stating that the petitioner has never preferred an appeal as against the order of punishment dated 28.07.2020, and there is no



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chance of reducing the punishment imposed upon him. A perusal of the impugned order will clearly indicate that the order of this Court dated 15.09.2023, in W.P.(MD).No.22585 of 2023 has been misconstrued by the second respondent. Therefore, it is clear that the said order is liable to be set aside.

4. In view of the above said deliberations, the order impugned in this writ petition is set aside and the first respondent herein is directed to comply with the orders of this Court dated 15.09.2023, made in W.P.(MD).No.22585 of 2023 and dispose of the appeal filed by the writ petitioner dated 23.06.2023, within a period of four weeks from the date of receipt of a copy of this order.

5. 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.

24.01.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
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R.VIJAYAKUMAR, J.

gvn

To

1. The Managing Director,
TNSTC,
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Pudukottai Region,
Pudukottai District.

2. The General Manager,
TNSTC,
Kumbakonam Limited,
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