



W.P(MD)No.18736 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.07.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.18736 of 2026
and
WMP (MD) No.13859 of 2026

B.Anbuselvan

... Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport Corporation
(Madurai) Ltd.,
Bye Pass Road,
Madurai - 16.

2. The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Ltd.,
Dindigul Region,
Dindigul - 4.

... 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 of Certiorarified Mandamus calling for the records connected with the Impugned Order of Punishment of Increment Cut with cumulative effect for one and a half years passed by the 2nd respondent in Parvai. Sa Thu A 5- 3448 dated 04.02.2013 which was confirmed by the Honble Labour Court, Tiruchirappalli (Dindigul Camp) in I.D.No.72 of 2016 dated 27.10.2021, quash the same and consequently direct the respondents to drop the punishment of one and a half years Increment cut with cumulative effect and to re-credit 30 days leave in petitioner's leave account (Suspension period from 20.12.2011 to 18.01.2012) in terms of Clause 61 of 12(3) settlement dated 30.09.1992 and to extend the benefit of similarly placed co-employee R.Ramakrishnan, Driver of the very same bus in WP(MD) No.8456 of 2019 dated 05.01.2023 which was confirmed in WA(MD) No.1575 of 2023 dated 21.09.2023 which was upheld by the Hon'ble Supreme Court in SLP (C) No.020555-Diary No. 35674 of 2024 dated 09.04.2025 and to settle the consequential monetary benefits along with interest.

For Petitioner : Mr.S.Govindan

For R1 & R2 : Mr.Ferlin Castro, Standing Counsel

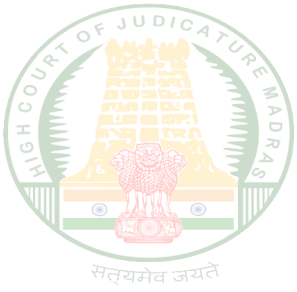


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ORDER

This Writ Petition has been filed challenging the order of punishment imposing increment cut with cumulative effect for a period of one and a half years passed by the second respondent in proceedings bearing Parvai.Sa.Thu.A.5-3448 dated 04.02.2013, as confirmed by the award of the Labour Court, Tiruchirappalli (Dindigul Camp), in I.D.No.72 of 2016 dated 27.10.2021, and consequently seeking a direction to the respondents to drop the said punishment, re-credit 30 days of leave to the petitioner's leave account for the suspension period from 20.12.2011 to 18.01.2012 in terms of Clause 61 of the 12(3) Settlement dated 30.09.1992, extend to the petitioner the benefit granted to the similarly placed co-employee, R. Ramakrishnan, Driver, in W.P.(MD) No.8456 of 2019 dated 05.01.2023, as affirmed in W.A.(MD) No.1575 of 2023 dated 21.09.2023 and upheld by the Hon'ble Supreme Court in SLP (C) No.020555 (Diary No.35674 of 2024) dated 09.04.2025 and to grant all consequential monetary benefits together with interest.



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2.Heard Mr.S.Govindan, learned counsel appearing for the petitioner and Mr.Ferlin Castro, learned Standing Counsel, who accepts notice on behalf of the respondents.

3.By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

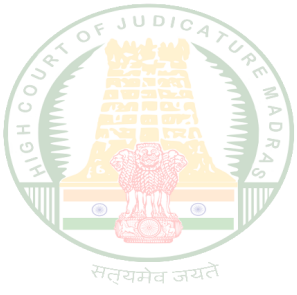
4. The case of the petitioner is that he was employed as a Driver in the respondent Transport Corporation. While so, on 15.12.2011, during the course of duty, a passenger travelling in the bus accidentally slipped, fell down and succumbed to the injuries. Pursuant thereto, the respondent Corporation issued a charge memo to the petitioner. After receipt of his explanation, a domestic enquiry was conducted and the disciplinary authority imposed the punishment of stoppage of increment for a period of one and a half years with cumulative effect. Aggrieved by the said punishment, the present writ petition has been filed before this Court.



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5. Learned counsel for the petitioner would submit that in respect of the very same occurrence, the co-driver, namely, Ramakrishnan, challenged the punishment before this Court in W.P. (MD) No.8456 of 2019 and this Court by order dated 05.01.2023, modified the punishment from stoppage of increment for one and a half years with cumulative effect to stoppage of increment for one and a half years without cumulative effect. The said order was challenged by the respondent Corporation in W.A. (MD) No.1575 of 2023. The Division Bench, by judgment dated 21.09.2023, dismissed the writ appeal and confirmed the order of the learned Single Judge. The Special Leave Petition filed before the Hon'ble Supreme Court in SLP (C) No.020555 – Diary No.35674 of 2024 was also dismissed. Therefore, the learned counsel submits that the petitioner is identically placed and is entitled to the very same relief. Accordingly, he prays that the punishment imposed on the petitioner may also be modified from stoppage of increment for one and a half years with cumulative effect to stoppage of increment for one and a half years without cumulative effect.



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6. Mr. Ferlin Castro, learned Standing Counsel appearing for the respondents, would fairly submit that since the punishment imposed on the driver of the very same bus has already been modified by this Court and the said order has attained finality, the respondents have no serious objection to extending the very same benefit to the petitioner.

7. I have considered the submissions made on either side and perused the materials available on record.

8. Admittedly, the petitioner stands on the very same footing as the said Ramakrishnan. When the punishment imposed on a similarly placed co-employee arising out of the very same occurrence has been modified and the said order has attained finality, the respondents cannot deny the same benefit to the petitioner.

9. In view of the above, this Court is of the considered opinion that the petitioner is entitled to the same relief that was granted to the similarly placed



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co-employee. Accordingly, the punishment of stoppage of increment for one and a half years with cumulative effect imposed on the petitioner is modified as stoppage of increment for one and a half years without cumulative effect.

10. With the above direction, this writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

08.07.2026

NCC : Yes / No
Index : Yes / No
PKN

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M.DHANDAPANI, J.

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