



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 01.03.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) .No.3669 of 2018
and
W.M.P. (MD) .Nos.3814 & 3815 of 2018

P.Ramar ...Petitioner
Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation,
Kumbakonam Division,
Kumbakonam,
Thanjavur District.

2.The General Manager,
Tamil Nadu State Transport Corporation,
Karaikudi Branch,
Karaikudi, Sivangangai District.

3.The Deputy Manager,
Tamil Nadu State Transport Corporation,
Kumbakonam Division,
Kumbakonam,
Thanjavur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents herein from in any way recovering Rs.4510/- (Rupees Four Thousand Five Hundred and ten only) from the monthly salary of the petitioner and consequently direct the respondents to forthwith refund the amount recovered from the month of November 2017.

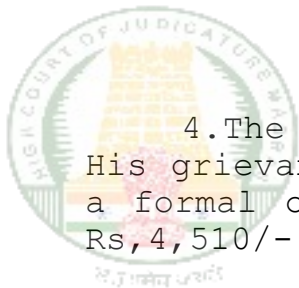
For Petitioner : Mr.K.Appadurai
For Respondents : Mr.D.Sivaraman

ORDER

Mr.D.Sivaraman, learned Standing counsel, takes notice on behalf of the respondents.

By consent of both parties, the main Writ Petition itself is taken up for final disposal.

3.Heard Mr.K.Appadurai, learned counsel, appearing for the petitioner and Mr.D.Sivaraman, learned Standing counsel, takes notice on behalf of the respondents.



4.The petitioner is employed in the respondent/Corporation. His grievance is that without any notice to him and without passing a formal order of recovery, the Management is recovering a sum of Rs,4,510/- from his monthly salary.

5.This is clearly illegal. Therefore, the respondents are restrained from doing so. A direction is also given for re-fund of illegally recovered amounts to the petitioner by crediting in his next month salary.

6.As rightly pointed out by the learned counsel for the respondent even while the relief is given to the petitioner, the Management must be given liberty to proceed in accordance with law. Such liberty is granted.

7.The Writ Petition is allowed accordingly. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(Crl. side)

/True Copy/

Sub Assistant Registrar

To

1.The Managing Director,
Tamil Nadu State Transport Corporation,
Kumbakonam Division,
Kumbakonam,
Thanjavur District.

2.The General Manager,
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Karaikudi, Sivangangai District.

3.The Deputy Manager,
Tamil Nadu State Transport Corporation,
Kumbakonam Division,
Kumbakonam,
Thanjavur District.

+1cc to M/S.K.Appadurai, Advocate SR.No. 52141

+1cc to M/S.D.Sivaraman, Advocate SR.No. 52194

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