



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.01.2018

CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD) No.6418 of 2014

and

M.P.(MD) No.1 of 2014

V.Ganesan

... Petitioner

-vs-

The Management of Tamil Nadu State
Transport Corporation (Kumbakonam) Limited,
Pudukkottai Region,
Rep. by its General Manager,
Pillaithaneerpanthal,
Pudhukkottai.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the respondent in Ref No.Th.Aa.Po.Ka/TS/A3/017, dated 03.04.2013 in imposing the punishment of increment cut for a period of 3 months with cumulative effect, quash the same and consequently direct the respondent to refund the amount already recovered from the petitioner's salary towards the above punishment.

For Petitioner
For Respondent

: Mr.A.Rahul
: Mr.D.Sivaraman
Standing Counsel

O R D E R

The petitioner questions the impugned order on the ground that it has been passed without conducting any enquiry. The petitioner was visited with the punishment of stoppage of increment for a period of three months with cumulative effect. Such an order will have an adverse impact of the petitioner's pension.

2.This Court in W.P.(MD)No.17436 of 2014, dated 18.01.2018 held that in such cases, the management will have to conduct an enquiry and then only pass an order.

3.The case on hand is similar. Therefore, the impugned order in the writ petition is quashed. Accordingly, this Writ Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(AS)

/True Copy/



To

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The General Manager,
The Management of Tamil Nadu State
Transport Corporation (Kumbakonam) Limited,
Pudukkottai Region,
Pillaithaneerpanthal,
Pudhukkottai.

+One cc to Mr.A.Rahul, Advocate, SR.No.46062

+One cc to Mr.D.Sivaraman, Advocate, SR.No.45590

cp
RL/4C/2P/KK/SAR1/22/2/2018

W.P.(MD) No.6418 of 2014
and
M.P.(MD) No.1 of 2014

31.01.2018