



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2018

CORAM:

WEB COPY

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN

W.P.(MD)No.17810 of 2018 and
WMP(MD)No.15677 of 2018

M.Santhanam

... Petitioner

Vs.

1.The Management of Tamil Nadu,
State Express Transport Corporation
(Tamil Nadu) Ltd.,
Rep.by its Managing Director,
Pallavan Salai,
Chennai - 2.

2.The General Manager,
State Express Transport Corporation (Tamil Nadu) Ltd.,
Pallavan Salai,
Chennai - 2.

3.The Branch Manager,
State Express Transport Corporation (Tamil Nadu) Ltd.,
Thoothukudi Branch,
Thoothukudi.

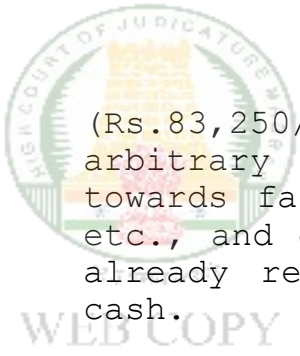
... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Declaration, declaring the action of the respondents in imposing ticket book recovery of Rs.98,250/- on the petitioner towards face value of unused/ unsold missing tickets (Rs.83,250/-) and missing cash of Rs.15,000/- as illegal and arbitrary and forbear the respondents from making any recovery towards face value of the unsold missing tickets and missing cash etc., and consequently, direct the respondents to refund the amount already recovered from the petitioner for loss of ticket books and missing cash.

For Petitioner : Mr.A.Rahul
For Respondents : Mr.K.Sathiya Singh

O R D E R

The petitioner has come forward with the present Writ petition to issue Writ of declaration, declaring the action of the respondents in imposing "ticket book recovery" of Rs.98,250/- on the petitioner towards face value of unused / unsold missing tickets



(Rs.83,250/-) and missing cash of Rs.15,000/- as illegal and arbitrary and forbear the respondents from making any recovery towards face value of the unsold missing tickets and missing cash etc., and consequently, direct the respondents to refund the amount already recovered from him for loss of ticket books and missing cash.

2.When the matter is taken up for hearing, the learned counsel for the petitioner and also the learned standing counsel appearing for the respondents would submit that the issue involved in this Writ petition is squarely covered by the order of this Court dated 21.02.2017 in W.P.(MD)No.794 of 2017, following a decision reported in **2008(1) MLJ 224 (Management of Rani Mangammal Transport Corporation Ltd., Vs. M.Palanisamy)**.

3.Following the order of this Court dated 21.02.2017 in W.P. (MD)No.794 of 2017, this Writ petition is allowed, directing the respondents not to impose "ticket book recovery" from the petitioner towards the value of unused tickets. However, the respondents can collect the cost of printing of those unused tickets, from him. No costs. Consequently, connected W.M.P.is closed.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar(CS-II)

+ 1 CC TO Mr.A.RAHUL, ADVOCATE IN SR No. 78391

+ 1 CC TO Mr.K.SATHIYA SINGH, ADVOCATE IN SR No. 78472

NBJ

TE/RSK/SAR-2 : 06/09/2018 : 2P/3C

W.P. (MD)No.17810 of 2017
13.08.2018