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WP(MD).No.10362 of 2012

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
RESERVED ON : 18.09.2020
DELIVERED ON : 03.11.2020

CORAM:

THE HONOURABLE MR. JUSTICE RMT. TEEKAA RAMAN

WP(MD).No.10362 of 2012

and

M.P(MD).No. 2 of 2012

M. Raja

: Petitioner

Vs.

The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Ltd., Madurai Region,
Madurai.

: Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order of the respondent in Ref.No. O.Na.Thu/D2/The.Ka/CR/138, dated 28.04.2011, quash the same and consequently, direct the respondent herein to pay the increments stopped by the respondent to the petitioner and continue to pay the regular increments and arrears.

For petitioner : Mr. K. Appadurai
For Respondent : Mr. J. Senthil Kumaraiah
Standing Counsel

ORDER

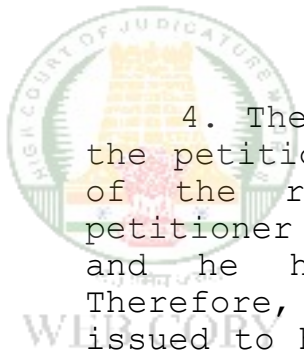
This Writ Petition has been filed to quash the impugned order of the respondent in Ref.No.O.Na.Thu /D2/the.Ka/CR/138, dated 28.04.2011, and consequently, direct them to pay the increments stopped by the respondent to the petitioner and continue to pay the regular increments and arrears.

2. The petitioner challenging the order of punishment for stoppage of increment for three months without cumulative effect.

3. The facts relating to the case of the petitioner are as follows:

The petitioner is working as a Conductor at the respondent Transport Corporation. On 29.01.2011, the petitioner was assigned duty to perform as Conductor in the bus TN58N-1631. When the bus was proceeding in the trip from Periyar Bus Stand to T. Kallupatti, checking Inspectors of the respondent Transport Corporation checked the bus at T. Pudupatti. While checking it was found that Conductor had not collected fare of Rs.11/- from one passenger for her travel and not issued ticket to her.

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4. The respondents filed counter and submitted that the act of the petitioner is a misconduct under the certified standing orders of the respondent / Transport Corporation. Therefore, the petitioner was charge sheeted by the charge memo, dated 11.03.2011 and he has submitted his explanation admitting his guilt. Therefore, subsequently, the show cause notice, dated 06.04.2011 was issued to him proposing of the punishment of three months increment cut without cumulative effect. The explanation submitted to the show cause notice by the petitioner was not convincing. Therefore, finally the proposed punishment for three months increment cut and without cumulative effect was awarded vide order, dated 28.04.2011.

5. Taking into consideration of the fact that since the petitioner has admitted his guilt, the stoppage of increment for three months without cumulative effect has been passed and hence, I do not find any error in the order passed by the respondent.

6. In this view of the matter, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

trp

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Ltd., Madurai Region,
Madurai.

ORDER MADE IN
WP (MD) .No.10362 of 2012
03.11.2020

CK (CO)
CS (23.11.2020) 2P 2C