

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.09.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.12051 of 2022 and
W.M.P.(MD)No.8568 of 2022

G.Anandhan,
S/o.Govindan,
Senior Manager (IT) AAI,
Trichy International Airport,
Trichy District.

... Petitioner

Vs.

The Airport Director,
Airports Authority of India,
Trichy International Airport,
Trichy District.

... Respondent

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the respondent in his proceedings in Ref.No.AAI/TR/DIS-ACT/1380 dated 23.03.2022, quash the same and consequently direct the respondent to pay a sum of Rs.1,02,204.13/- that was deducted from the petitioner's salary.

For Petitioner : Mr.T.Balaji

For Respondent : Mr.C.Godwin

* * *

ORDER

Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent.

2. The writ petitioner is aggrieved by the deduction of a month salary by the employer. It is true that the employer had issued an e-mail communication to the writ petitioner demanding to know as to why he was not reporting for duty on time. But before passing the impugned deduction order, no formal show cause notice was issued.

3. I indicated to the writ petitioner's counsel that I would allow this writ petition and remit the matter to the authority, if the petitioner gives an undertaking. Pursuant to the same, the writ petitioner has filed an affidavit of undertaking stating that henceforth he will report for work without any delay and avoid such complaint in future. The said undertaking is recorded. Since the impugned deduction order has not been preceded by any show cause notice, in view of

the violation of principles of natural justice, the impugned deduction order is set aside. The matter is remitted to the file of the respondent. The deduction already made shall be made good. It is left to the discretion of the respondent to take a fresh call in the matter.

4. This writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

13.09.2022

Index : Yes / No

Internet : Yes/ No

PMU

To:

The Airport Director,
Airports Authority of India,
Trichy International Airport,
Trichy District.

G.R.SWAMINATHAN,J.

PMU

W.P.(MD)No.12051 of 2022

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