



W.A.(MD) No.633 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.06.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A.(MD) No.633 of 2023
and
C.M.P.(MD) No.5878 of 2023**

The General Manager
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited
Karur Region, Karur District

... Appellant

-vs-

R.Sirumbanan

... Respondent

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 11.10.2022, passed in W.P.(MD) No.20629 of 2022, on the file of this Court.

For Appellant : Mr.S.C.Herold Singh

For Respondent : Mr.D.Srinivasaraghavan
for Mr.D.Anbarasu



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J U D G M E N T

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

Challenge in this writ appeal is to the order of the Writ Court sustaining the writ petition filed by the respondent / writ petitioner seeking to quash the impugned order of punishment on the ground that the punishment that was imposed on the respondent / writ petitioner was not prescribed in the Standing Orders. The punishment that was imposed on the respondent is reduction of time scale of pay. The Writ Court has found that such a punishment is not prescribed under the Standing Orders.

2. Mr.S.C.Herold Singh, learned counsel for the appellant, would, however, draw our attention to the Standing Order 14(2) and contend that there can be a punishment of reduction in time scale of pay.

3. We are unable to concur with the said submission. Standing Order 14(2) provides for effect of the punishment of reduction to a lower rank and the Standing Order 17 provides for reduction in rank. None of these provisions authorize imposition of punishment of reduction of time scale of pay. Therefore, we are unable to find fault with the Writ Court having held



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that imposition of such punishment is not prescribed under the Standing Orders. The Writ Court has also relied upon the Judgment of the Hon'ble Supreme Court in ***Vijay Singh vs. State of Uttar Pradesh & others***, reported in **(2012) 5 SCC 242**, which is also to the same effect. Hence, we find no ground to interfere with the impugned order passed by the Writ Court. The writ appeal fails and the same is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

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NCC : Yes / No
Index : Yes / No
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