



W.P.(MD)No.14964 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 23.06.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.14964 of 2023

P.Susila

... Petitioner

Vs.

The Management of Tamilnadu State Transport
Corporation (Kumbakonam) Ltd.,
Trichy Region,
Rep. by its General Manager,
Trichy.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondent to refund the amount Rs.1,26,540/- recovered from the terminal benefits of the deceased husband of the petitioner / employee (Late) K.Periyasamy, Staff No.5132 as towards punishments of increment cut, together with 6% interest per annum.

For Petitioner : Mr.S.Arunachalam

For Respondent : Mr.K.Ramaiah,
Standing Counsel.

ORDER

Heard the learned counsel on either side.



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2.The writ petitioner's husband joined the respondent corporation as Driver in the year 1991. He passed away 17.03.2014 while in service. A sum of Rs.1,26,540/- was withheld towards unimplemented increment cut. My attention is drawn to the order dated 15.06.2021 passed by the Hon'ble Division Bench in W.A.(MD)Nos.1270 of 2020 (State Express Transport Corporation (Tamil Nadu) Ltd., Vs. G.Senthil). The case on hand is squarely covered by the aforesaid decision. The impugned order is set aside. The respondent shall refund the withheld amount. If the respondent refunds the said amount within a period of twelve weeks from the date of receipt of a copy of this order, it will not carry interest. If the respondent fails to make refund within twelve weeks, the respondent will have to pay interest from the date of entitlement.

3.This writ petition is allowed on these terms. No costs.

23.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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G.R.SWAMINATHAN,J.

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