



W.P.(MD).No.22974 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.22974 of 2023

and

W.M.P(MD) No.19195 of 2023

Muniswaran

...Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam Division,
Kumbakonam.

2. The General Manager,
Tamil Nadu State Transport Corporation Limited,
Karaikudi Region,
Karaikudi,
Sivagangai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order issued by the second respondent in TNSTC/TS/D4/21, dated 30.01.2015 and quash the same, consequently direct the second respondent to refund the all the deducted amount from the petitioner's salary by virtue of the impugned order, based on the petitioner's



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representation, dated 07.09.2023 within a stipulated period fixed by this Court.

For Petitioner : Mr.R.Senthilkumar
For Respondents : Mr.K.Ramaiah
Standing Counsel

ORDER

The present Writ Petition has been filed by a driver of the respondent Corporation challenging the show cause notice dated 30.01.2015.

2. A perusal of the show cause notice reveals that the petitioner is a driver who was involved in an accident and a charge Memo was issued on 09.03.2011. After enquiry, a report was submitted to the disciplinary authority on 15.12.2014. The disciplinary authority has been convinced with the enquiry report, and issued a show cause notice on 30.01.2015 calling for an explanation why punishment of stoppage of increments for three years with cumulative effect should not to be passed. This show cause notice is under challenge in the present writ petition.



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3. The learned counsel appearing for the respondents/Transport Corporation brings to the notice of this Court that on 12.05.2015, final orders have been passed by stopping increments for the period of two years with cumulative effect. Without challenging the said order, the present writ petition challenging the second show cause notice is not maintainable.

4. In view of the above said facts, the present writ petition is not maintainable and the same is dismissed. However, the writ petitioner is at liberty to challenge the final order dated 12.05.2015, if he is so advised. There shall be no order as to costs. Consequently connected Miscellaneous Petition is closed.

12.10.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR,J.

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