



W.P(MD)No.24889 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.10.2023

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.24889 of 2023

and

W.M.P(MD)No.21067 of 2023

S.Asaithambi

... Petitioner

Vs.

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

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam Region,
Thanjavur 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 entire records pertaining to impugned order, dated 14.08.2017 in No.தஅபோக/டி2/குந2/032/2017 passed by the second respondent imposing 2 (two) year increment cut and quash the same and consequently direct the second respondent to re-calculate the salary and other allowances of the



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petitioner from 01.03.2023 till date without imposing the punishment of 2 year increment cut and direct the second respondent to pay the balance amount to the petitioner with 6% interest.

For Petitioner : Mr.N.Sudhagar Nagaraj

For Respondents : Mr.K.Jagadees Balan
Standing Counsel

ORDER

The present writ petition has been filed by a Conductor of the respondent Transport Corporation challenging an order of the second respondent wherein, he was imposed with a punishment of stoppage of increment for a period of two years.

2. The order impugned in the writ petition has been passed on 14.08.2017 and after a delay of six years, the present writ petition has been filed. The petitioner is having an effective alternative remedy of filing an appeal before the first respondent herein. Therefore, this Court is not inclined to entertain the present writ petition. However, the petitioner is at liberty to file an appeal before the first respondent. In case if an appeal is filed before the first



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respondent on or before **30.11.2023**, the same shall be entertained by the first respondent and orders may be passed on merits and in accordance with law.

3. With the above said observation, this writ petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

31.10.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

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

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
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R.VIJAYAKUMAR, J.

BTR

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