



W.P.(MD)No.27377 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.04.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.27377 of 2022

and

W.M.P(MD)Nos.21476 of 2022
& 3885 of 2023

V.Sivakumar

... Petitioner

Vs

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

2.The General Manager,
Tamil Nadu State Transport Corporation,
(Kumbakonam) Limited,
Karur Region,
Karur – 639 003.

3.The Branch Manager,
Tamil Nadu State Transport Corporation,
(Kumbakonam) Limited,
Karur Region,
Karur II Branch,
Karur.

... Respondents



W.P.(MD)No.27377 of 2022

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the entire records in connection with the impugned order passed by the second respondent in Tha.Aa.Po.Ka/Kumba/Karur/TS/T1/3750/2016 dated 23.02.2018, quash the same as illegal.

For Petitioner : Mr.A.Anbarasu

For Respondents : Mr.K.Jagadees balan
Standing Counsel

ORDER

Heard the learned counsel on either side.

2. The petitioner has been visited with the punishment of reduction of his basic pay by three stages. Contending that such punishment is not contemplated in the standing orders, the present writ petition has been filed.

3. I called upon the learned Standing Counsel to produce a copy of the standing orders. Clause 25 deals with punishments for misconduct. The reduction of the basic pay is not one of the punishments envisaged in the standing orders.



W.P.(MD)No.27377 of 2022

4. In this view of the matter, the order impugned in this writ petition is set aside. The matter is remitted to the file of the second respondent. It is open to the second respondent to pass an order afresh after putting the petitioner on notice. If the order to be passed is adverse to the petitioner, it is open to the petitioner to question the same on all the grounds that are open to him. I am granting this liberty to the petitioner only for the reason that the merits of the matter have not been gone into the present round.

5. This writ petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

11.04.2023

Index : Yes / No
Internet : Yes/ No
NCC : Yes / No
MGA

To

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

2.The General Manager,
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Karur Region,
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G.R.SWAMINATHAN, J.

MGA

3.The Branch Manager,
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