



REV APLW(MD).No.251 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.12.2023

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THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

REV.APLW(MD)No.251 of 2023

in

W.P(MD)No.8964 of 2023

and

W.M.P(MD)No.26017 of 2023

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

2.The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Kumbakonam Region,
Thanjavur District.

... Petitioners

v.

1.R.Subramanian

2.The State represented by
The Secretary to Government,
Transport Department,
Fort St.George,
Chennai – 600 009.

... Respondents



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PRAYER: Review Application filed under Order XLVII Rule 1 and 2 read with Section 141 of Civil Procedure Code to review the order passed in W.P(MD)No.8964 of 2023 dated 19.04.2023 on the file of this Court.

For Petitioner : Mr.SC.Herold Singh

For Respondents : Mr.N.Sudhagar Nagaraj for R.1

Mr.K.Balasubramani
Special Government Pleader for R.2

ORDER

Heard both sides.

2.W.P(MD)No.8964 of 2023 filed by the first respondent was allowed by me on 19.04.2023 on the ground that the Management is proposing to enforce the unimplementable punishment of increment cut. It is now turns out that what was sought to be recovered was excess payment. In this view of the matter, the order dated 19.04.2023 allowing W.P(MD)No.8964 of 2023 is set aside.



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3.This Review Application is allowed and the writ petition is dismissed. Liberty is given to the first respondent to challenge the recovery proceedings initiated by the management on the ground of excess payment. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

19.12.2023

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

To

The Secretary to Government,
Transport Department,
Fort St.George,
Chennai – 600 009.



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G.R.SWAMINATHAN, J.

MGA

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