



WP(MD) No.8110 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.04.2024**

CORAM:

**THE HONOURABLE MS.JUSTICE R.N.MANJULA**

W.P.(MD) No.8110 of 2024

C.Narayanapillai

... Petitioner

/vs./

1.The Managing Director,  
Tamil Nadu State Transport Corporation Limited,  
KTC Nagar, Thoothukudi Road,  
Tirunelveli 627 001.

2.The General Manager,  
Tamil Nadu State Transport Corporation Limited,  
Ranithottam,  
Nesamony Nagar,  
Kanyakumari District.

3.The General Secretary,  
Hindu Mazdoor Sabha,  
Tamil Nadu State Transport Corporation Limited,  
Ranithottam,  
Nesamony Nagar,  
Nagercoil 629 001,  
Kanyakumari District.

... Respondents



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**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing 2<sup>nd</sup> respondent to credit the subscription amount in favour of the petitioner for the year 2023-2024, which was illegally deducted from the petitioner's account by the 2<sup>nd</sup> respondent and further direct the 2<sup>nd</sup> respondent not to deduct any yearly subscription amount in the name of Hindu Mazdoor Sadha (HMS) in future from the petitioner's salary within a time limit to be fixed by this Court.

For Petitioner : Mr.A.Thirumoorthy

For Respondents : Mr.M.Lingadurai  
Special Government Pleader

### **ORDER**

The petitioner has filed this Writ Petition seeking Writ of Mandamus to direct the second respondent to credit the subscription amount in favour of the petitioner for the year 2023-2024, which was illegally deducted from the petitioner's account by the second respondent and to direct the second respondent not to deduct any yearly subscription amount in the name of Hindu Mazdoor Sabha (HMS) in future from the petitioner's salary.

2. The simple contention of the learned counsel for the petitioner is that the petitioner is no more a member of the third respondent Mazdoor and he has



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preferred to have his allegiance with one Bharathiya Mazdoor Sangam and joined to Sabha in 2023. But even after he resigned his membership with the third respondent, the subscription to the third respondent Sabha is being deducted from his salary by the second respondent. Since the petitioner is no more a member of the third respondent, the second respondent cannot deduct any subscription to be credited to the account of the third respondent.

3. Hence, this Writ Petition is **allowed**. The second respondent is directed to re-credit the amount deducted from the petitioner's salary for the year 2023-2024 within a period of three weeks to the account of the petitioner and shall not make any such deductions so long as the petitioner does not opt to join with the third respondent. No costs.

**01.04.2024**

Index : Yes / No  
Internet : Yes / No

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**R.N.MANJULA, J.**

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W.P.(MD)No.8110 of 2024

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