



WA(MD). No.205 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 27/02/2024

CORAM

**THE HON'BLE MR.SANJAY V.GANGAPURWALA,
CHIEF JUSTICE**

and

THE HON'BLE MR.JUSTICE G.ILANGO VAN

**WA(MD). No.205 of 2024
and CMP(MD) No.1799 of 2024**

1. The Tamilnadu State Transport Corporation
(Madurai) Limited,
Represented by its Managing Director
Bye Pass Road, Madurai.
 2. The General Managar,
Tamil Nadu Transport Corporation (Madurai) Limited
Bye Pass Road,
Madurai.
- ... Appellants

V,

S. Maruthupandian, ... Respondent

PRAYER :- Writ Appeal filed under Clause 15 of Letters Patent, against
the order dated 12.01.2022 in W.P.(MD).No.12115 of 2015.

**For Appellants : M/s. S.C.Herold Singh,
For Respondent : Mr.A.Rahul**



WEB COPY



WA(MD). No.205 of 2024

JUDGMENT

**[Judgment of the Court was delivered by
The Hon'ble The CHIEF JUSTICE]**

Heard the learned counsel for the appellants and the learned Advocate for the original writ petitioner.

2. The present appeal is filed against the judgment delivered by the learned single Judge of this Court in W.P(MD) No.12115/2015.

3.The respondent/original writ petitioner had filed a writ petition challenging the punishment imposed upon him of withholding of increment for three months without cumulative effect and recovery of Rs.92,502/- for the loss of tickets. The learned Single Judge allowed the writ petition. Aggrieved thereby, the appellants have filed the writ appeal.

4.The learned Advocate for the appellants strenuously contended that the department sustained loss on account of the act of the original



WA(MD). No.205 of 2024

writ petitioner, because of which, the department is entitled to recover Rs.92,502/-.

5. The learned counsel for the respondent/original writ petitioner submits that if the loss of tickets is due to the road accident, theft or robbery, the same shall not be collected from the petitioner. Reliance is placed on Clause 29 of the 12(3) Settlement.

6. We have considered the said submissions.

7. The issue does not appear to be res integra in view of the judgment delivered in W.A.No.142/2012 dated 16.11.2014 referred to by the learned Single Judge in the impugned judgment.

8. The learned Single Judge has considered the settlement. So also the judgment of the Division Bench in the similar set of facts. We find no error in the same.



WA(MD). No.205 of 2024

WEB COPY

9. The writ appeal as such is dismissed. However, there shall be no order as to costs. Consequently connected Miscellaneous Petition is closed.

[S.V.G., CJ.]

[G.I., J.]

27.02.2024

NCC : Yes/No
Index : Yes/No

RR



WEB COPY



WA(MD). No.205 of 2024

THE HON'BLE THE CHIEF JUSTICE
and
G.ILANGOVA, J.

RR

W.A.(MD)No.205 of 2024

27.02.2024