



W.P.Nos. 9259 of 2025 and etc batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.10.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

**W.P.Nos.9259, 9273, 9274, 9391, 9411, 9334, 9342, 9347, 9353, 9626,
9633, 9640, 9650, 9655, 9663, 10238, 10239, 10243, 10283, 10288,
10306, 10477, 10481 & 10480 of 2025**

and

**W.M.P.Nos.10383, 10388, 10399, 10401, 10405, 10408, 10541, 10550,
10569, 10573, 10493, 10494, 10503, 10505, 10508, 10509, 10513, 10514,
10831, 10836, 10844, 10845, 10789, 10790, 10799, 10800, 10809, 10814,
10819, 10823, 11518, 11520, 11521, 11522, 11524, 11526, 11582, 11589,
11592, 11594, 11614, 11615, 11795, 11796, 11799, 11800, 11802,
11805 of 2025**

W.P.No.9259 of 2025

R.Chandramohan

.... Petitioner

Vs

1.The Managing Director,
Tamil Nadu State Transport Corporation (CBE) Ltd.,
Coimbatore Region,
Mettupalayam Road,
Coimbatore – 641 043.

2.General Manager,
Tamil Nadu State Transport Corporation (CBE) Ltd.,
Coimbatore Region, Mettupalayam Road,
Coimbatore – 641 043.

.... Respondents

Prayer :- Writ Petition filed under Article 226 of Constitution of India for
the issuance of Writ of Certiorarified Mandamus, calling for the records



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of the second respondent vide 1/G9/231-6/thaaapoka/2018 dated 27.05.2019 and consequential order of the first respondent proceedings No.1/Ji/231/tha.aapoka/Ko.Ma/2017 dated 30.08.2024 and quash the same and direct the respondents to pay the increment payable to the petitioner.

For Petitioner : Mr.P.Chandrasekaran
(in all W.P.s)
For Respondents : Mr.C.Gowthamraj
(in all W.Ps)

COMMON ORDER

These Writ Petitions have been filed challenging the order dated 27.05.2019 passed by the second respondent, thereby imposing punishment of stoppage of increment for a period of five years with cumulative effect and the consequential order dated 30.08.2024 passed by the first respondent, thereby rejecting the appeal filed by the petitioners.

2.Heard the learned counsel appearing on either side and perused the materials available on record.

3.It is seen from the records that all the petitioners were served with a charge memo dated 23.01.2018, alleging that on 14.12.2017 morning till 15.12.2017 evening, the members of the nine Trade Unions



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Joint Committee had announced a “sit in struggle”. It is further alleged that during the wage negotiation meeting with Minister of Transport at Chennai, decisions were to be taken on 27.12.2017 and 28.12.2017. After came to know of the same, some of the union members dispersed from the strike, and some others assembled as a mob at the entrance and shouted slogans and attempted to close the entry gate at around 5.15 p.m. When the security guards prevented them, certain members allegedly used unparliamentary language against them and closed the entry gate. It is further alleged that a steel stand kept near the gate was removed and used to block the entrance, thereby obstructing the movement of buses and employees.

4. That apart, it is further alleged that at about 5.30 p.m. the petitioners prevented the women employees who were returning from duty and made them remain inside the premises, thereby causing inconvenience to them, despite the advice of the Trade Union office bearers and the officials of the Transport Corporation. Based on the said charge memo, the petitioners submitted their representations. However, the same were not considered and a domestic enquiry was ordered.



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During the domestic enquiry, the petitioners examined themselves and as per the findings of the Enquiry Officer dated 05.11.2018, a second show cause notice was issued and the punishment of stoppage of annual increment for a period of five years with cumulative effect was passed, without following the principles of natural justice. The said punishment was confirmed by the Appellate Authority by a non-speaking order.

5.A perusal of the counter affidavit filed by the respondents and the submissions made by the learned Standing Counsel appearing for the respondents reveals that the petitioners were served with a charge memo under Clause 14(b)(k) of the Standing Orders of the Corporation. The petitioners submitted their explanation and the same were found to be unsatisfactory. Therefore, a domestic enquiry was ordered by appointing an Enquiry Officer. On receipt of the enquiry report, the petitioners were issued a second show cause notice and thereafter, the punishment of postponement of annual increment for a period of five years with cumulative effect was imposed. Hence, the question of violation of principles of natural justice does not arise. That apart, the petitioners ought to have been filed an appeal within a period of ninety days from the date of receipt of the order. However, the petitioners belatedly filed



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the appeal and the same was also rejected by the Appellate Authority.

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6.This issue has already been deal with by the Hon'ble Madurai Bench of this Court in W.P.Nos.904 & 905 of 2022, dated 04.02.2022, wherein it was held as follows :

“10.As per the Latin maxim “cessante ratione legis cessat ispa lex” reason is the soul of the law. When the reason of any particular law ceases so does the law itself.

11.In a landmark judgment, in Kranti Associates Pvt.Ltd and Ors. Vs. Masood Ahamed Khan and ors, (2010)9 SCC 496 the Honb'le Apex Court, after referring to several the judgments pronounced in this aspect has held as follows:

“a.In India the judicial trend has always been to record reasons, even in administrative decisions, if such decisions affect anyone prejudicially.

b. A quasi-judicial authority must record reasons in support of its conclusions.

c. Insistence on recording of reasons is meant to serve the wider principle of justice that justice must not only be done it must also appear to be done as well.

d. Recording of reasons also operates as a valid restraint on any possible arbitrary



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exercise of judicial and quasi-judicial or even administrative power.

e. Reasons reassure that discretion has been exercised by the decision maker on relevant grounds and by disregarding extraneous considerations.

f. Reasons have virtually become as indispensable a component of a decision making process as observing principles of natural justice by judicial, quasi-judicial and even by administrative bodies.

g. Reasons facilitate the process of judicial review by superior Courts.

h. The ongoing judicial trend in all countries committed to rule of law and constitutional governance is in favour of reasoned decisions based on relevant facts. This is virtually the life blood of judicial decision making justifying the principle that reason is the soul of justice.

i. Judicial or even quasi-judicial opinions these days can be as different as the judges and authorities who deliver them. All these decisions serve one common purpose which is to demonstrate by reason that the relevant factors have been objectively considered. This is important for sustaining the litigants' faith in the justice delivery system.

j. Insistence on reason is a requirement for both judicial accountability and transparency.



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k.If a Judge or a quasi-judicial authority is not candid enough about his/her decision making process then it is impossible to know whether the person deciding is faithful to the doctrine of precedent or to principles of incrementalism.

l.Reasons in support of decisions must be cogent, clear and succinct. A pretence of reasons or 'rubber-stamp reasons' is not to be equated with a valid decision making process.

m.It cannot be doubted that transparency is the sine qua non of restraint on abuse of judicial powers. Transparency in decision making not only makes the judges and decision makers less prone to errors but also makes them subject to broader scrutiny.

n.Since the requirement to record reasons emanates from the broad doctrine of fairness in decision making, the said requirement is now virtually a component of human rights and was considered part of Strasbourg Jurisprudence.

o.In all common law jurisdictions judgments play a vital role in setting up precedents for the future. Therefore, for development of law, requirement of giving reasons for the decision is of the essence and is virtually a part of "Due Process".

12.The Hon'ble Supreme Court in Ram Chander vs The State Of Chhattisgarh [Writ Petition (Crl) No 49 of 2022, dated 22 April, 2022], has held as follows:



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“Halsbury’s Laws of India (Administrative Law) notes that the requirement to give reasons is satisfied if the concerned authority has provided relevant reasons. Mechanical reasons are not considered adequate. The following extract is useful for our consideration:

“[005.066] Adequacy of reasons Sufficiency of reasons, in a particular case, depends on the facts of each case. It is not necessary for the authority to write out a judgement as a court of law does. However, at least, an outline of process of reasoning must be given. It may satisfy the requirement of giving reasons if relevant reasons have been given for the order, though the authority has not set out all the reasons or some of the reasons which had been argued before the court have not been expressly considered by the authority. A mere repetition of the statutory language in the order will not make the order a reasoned one.”

13.The first respondent while deciding the appeals arbitrarily dismissed them without considering the relevant factors objectively, despite the directions of this Court.

14.The first respondent has filed a counter affidavit tendering unconditional apology for not-complying with the earlier directions of this Court and stating that the earlier orders were misunderstood and hence, it is neither



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7. In view of the above, this Court finds infirmity in the orders of punishment as well as the orders of Appellate Authority. Hence, both the orders impugned in these writ petitions cannot be sustained and are liable to be quashed. Accordingly, these writ petitions stand allowed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

31.10.2025

Internet : Yes
Index : Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
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**Note : Registry is directed to incorporate
all the cause title and issue order copy
To**

1. The Managing Director,
Tamil Nadu State Transport Corporation (CBE) Ltd.,
Coimbatore Region,
Mettupalayam Road,
Coimbatore – 641 043.

2. General Manager,
Tamil Nadu State Transport Corporation (CBE) Ltd.,
Coimbatore Region, Mettupalayam Road,
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