



W.P No. 12417 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-06-2025

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P No. 12417 of 2025

A.Vanaja Muniyan
S/o.Late.Ayyakannu, No.5, Thillai
Nagar, Bhuvanagiri Taluk, Cuddalore
District-608 601.

... Petitioner

Vs

1. M/s.The Chairman Cum Secretary To
the Government, Transport Department
4th Floor, Secretariat, Chennai-600 009.
- 2.Tamilnadu State Transport Corporations,
Employees Pension Fund Trust, Rep. By Its
Adminsitrator, Thiruvalluvar Illam,
Pallavan Salai, Chennai-600 002.
- 3.The Director
Office Of Vigilance And Anti-corruption
Chennai City, No.293, Mkn Rd,
Ramapuram, Collectors Nagar, Alandur,
Chennai Tamil Andu-600 016.
- 4.R.Ponmudi B.E
S/o.Ramasamy, Managing Director, Tamil
Nadu State Transport Corporation, Head
Office, Kumbakonam Division,
Kumbakonam-612 001.



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Respondent(s)

PRAYER

Writ Petition under Article 226 of the Constitution of India for a writ of mandamus directing the respondent no 1 and 2 to withhold the retirement benefits of the 4th respondent till the disposal of the petitioners complaint dated 06.08.2018 made to the 3rd respondent and till the disposal of WP 13572 of 2018.

For Petitioner : Mr.S.Balamuki

For Respondents : Mr.Aswin
assisted by Mr.LSM Hassan Fizal,
Additional Government Pleader - for R1

Mr.Aswin assisted by Mr.C.S.K.Sathish
Kumar for R2

Mr.A.Gokulakrishnan
Additional Public Prosecutor - for R3

Mr.T.Suresh for Mr.Vijay Ganesh - for R4

ORDER

This writ petition is filed for a direction to take action on the complaint dated 06.08.2018.

2. Heard the learned counsel for the petitioner, who would submit that the petitioner has made specific allegations in the said complaint and no action whatsoever has been taken. As a matter of fact, for the period from 19.07.2018 until November 2019, when the petitioner was reinstated, the



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petitioner was neither suspended nor he was paid any salary and only because of the high-handed action of the fourth respondent the incident happened and therefore action must be taken as against the fourth respondent and when the petitioner has given a complaint as early as in the year 2018 and was running pillar to post, till date no action has been taken. Hence the present writ petition.

3. Per contra, the learned counsel appearing for the Transport Corporation would submit that from the date mentioned in the complaint ie., 19.07.2018 on account of some rift in the said branch, the petitioner remained absent and when he subsequently applied for medical leave and appeared before the Board, the Board did not even approve the medical condition and therefore his medical leave was ultimately not sanctioned. However, considering the fact that he was about to retire, a lenient view was taken by permitting him to join some other station, to which, he also gave a letter consenting for the said exercise. He eventually retired from the service in the year 2019 and all his benefits were paid. However, now when the fourth respondent is about to retire, the present writ petition is filed.



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4. Learned counsel appearing for the fourth respondent would submit that it is not the case that the petitioner was denied duty for not paying bribe. On the other hand, the petitioner did not report to Pondicherry when he was asked to report to the said depot. Normally, branch transfers within the unit will not have any order of transfer and therefore the petitioner was asked to report before the Branch Manager, Pondicherry, for which he opposed and remained unauthorisedly absent and now he is blaming the fourth respondent. He further submits that this writ petition is belatedly filed only to wreck vengeance against the fourth respondent.

5. I have considered the rival submissions made by the learned counsel for both sides and perused the materials placed on record.

6. There are three allegations that are made in the said complaint dated 06.08.2018. As far as the first allegation that the fourth respondent is getting bribe for grant of light duty to many persons is concerned, I am of the view that the complaint is vague and does not deserve consideration. Similarly, the second allegation is relating to the malpractices that are done in the particular job including misappropriation for which no proper particulars are given and



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therefore, I am of the view that no further directions can be issued in respect of the said allegation also.

7. As far as the specific allegation made with reference to personal services of the petitioner, the petitioner states that when he was working as Time Keeper with effect from 19.07.2018, just because he refused pay monthly bribe amount of Rs.10,000/-, the said duty was refused to him. It is this allegation that is made against the fourth respondent. However, it can be seen that it is the contention of the petitioner that he was made to remain absent only because the duty was denied to him unauthorisedly, whereas it is the contention of the management that he remained unauthorisedly absent, which was subsequently decided against him by the Medical Board.

8. In such contentious issue, at this belated point of time no direction can be issued to register a FIR. There are two limbs to this allegation, one is non-payment of salary and the other benefits is regarding the service conditions of the petitioner. If the petitioner contends that monthly salary has been denied to him, it is open for him to contend as against the Corporation and get back the said amount, if it is rightful to get it. As and when such a request is made by the petitioner, the same shall be dealt with in accordance



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with law by considering the respective contention of the parties. As far as the contention that action should be taken as against the fourth respondent, at this juncture since we are in the year 2025 and there is no other positive material with reference to the demand for payment of bribe and in view of the contentious facts and circumstances which are brought forth by the management as well as the concerned employee, I am of the view that no further direction can be issued to register a case on the basis of the complaint dated 06.08.2018.

9. Accordingly, finding no merits in this writ petition, the same is disposed of, giving liberty to the petitioner to agitate in accordance with law with reference to his personal service conditions. No costs.

18-06-2025

KST
Index:No
Speaking order
Internet:Yes
Neutral Citation: No



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To

1.M/s.The Chairman Cum Secretary
To The Government
Transport Department 4th Floor, Secretariat,
Chennai-600 009.

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