



WEB COPY



W.A.No.1579 of 2025

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2025

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MRS. JUSTICE K.GOVINDARAJAN
THILAKAVADI

W.A.No.1579 of 2025
and
C.M.P.No.11885 of 2025

1.The Director General/
Appellate Authority,
Railway Protection Force,
Ministry of Railways,
Railway Board,
New Delhi.

2.The Inspector General – cum –
Chief Security Commissioner,
Integral Coach Factory,
Chennai – 38.

...Appellants

Vs.

P.Karuppuswamy

...Respondent

Prayer: Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order dated 12.09.2024 made in W.P.No.934 of 2018 and allow the Writ Appeal.

For Appellants : Mr.C.Samivel



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JUDGMENT

(Judgment of the Court was delivered by R.SUBRAMANIAN, J.)

We see no infirmity with the order of the writ Court. Challenge in the Writ Petition was to the order imposing punishment of withholding of increment for one year without cumulative effect on the respondent.

2. It was the primary contention of the respondent that the punishment imposed would have an effect of reducing his pension and therefore an enquiry should have been conducted before imposing punishment in terms of clause 158(2) of the Railway Protection Force Rules, 1987.

3. This contention was resisted by the appellants on the ground that the punishment being minor punishment, the enquiry is not mandatory in terms of Clause 158(1) of the Railway Protection Force Rules, 1987.

4. The writ Court found that imposition of punishment subject to increment without conducting enquiry is bad, therefore, allowed the Writ



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Petition. While considering the facts, the writ Court also recorded the fact that the respondent was on leave on the fateful day.

5. Be that as it may, Clause 158(2) of the Railway Protection Force Rules, 1987 mandates an enquiry to be held, if the punishment proposed is one of stoppage of increment, which would have an effect reducing the pension of the employee. The stoppage of increment will definitely have effect reducing the pension, as the last drawn salary will be reduced because of the punishment imposed. Therefore, an enquiry ought to have been conducted. Admittedly no enquiry was conducted.

6. We therefore see no reason to interfere with the order of the writ Court. The Writ Appeal fails and it is accordingly dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

dsa

Index : No

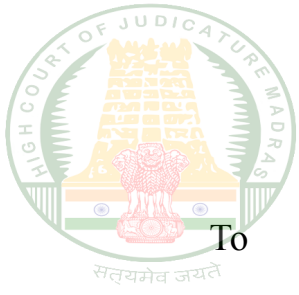
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Speaking order

(R.S.M.,J.) (K.G.T.,J.)

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To

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