



W.P.No.26413 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2025

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THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.26413 of 2025

And

W.M.P.No.29746 of 2025

G.Thangavel

... Petitioner

Vs.

The Managing Director,
Tamil Nadu State Transport Corporation (VPM) Ltd.,
No.3/137, Salamedu, Villupuram Region,
Valuthareddy – Post,
Villupuram – 605 602.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for records of the impugned order Ka.Ku.No.23/323/Corp.-Legal-1/TNSTC(V)/2023 dated 05.05.2025 on the file of the respondent and to quash the same and to direct the respondent to immediately remit the recovered amount from monthly salary till date with interest to the petitioner and consequently to direct the respondent to consider the suspension period of 76 days as 'leave with full wages' and direct the respondent to pay the full wages for the suspension period of 76 days deducting the amount paid as subsistence allowance for that period.



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For Petitioner : Mr.S.Satheesh Kumar
For Respondent : Ms.S.Pavithra
Standing Counsel

ORDER

The present writ petition has been filed challenging the order dated 05.05.2025.

2.The learned Standing Counsel appearing for the respondent would submit that the petitioner has got appeal remedy and such factum has been mentioned in the impugned order itself.

3.Hence, this Court, when posted a pertinent question to the petitioner as to what basis they preferred writ petition instead of approaching the appellate authority, the learned counsel appearing for the petitioner would submit that the appellate authority is the Managing Director, whereas, the Managing Director himself has passed the impugned order. Therefore, the Managing Director usurped the power of the disciplinary authority. Therefore, there is no purpose in filing the appeal before him.

4.The said submission was objected by the learned Standing Counsel. The learned Standing Counsel would submit that disciplinary proceedings was not only initiated against this petitioner and it was



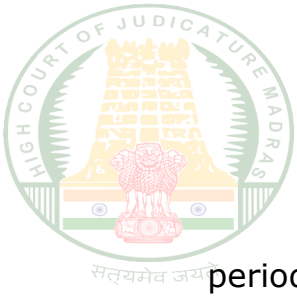
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also jointly initiated against Deputy Manager. As against Deputy Manager, the Managing Director is the disciplinary authority and therefore, the impugned order was passed by the Managing Director. The learned Standing Counsel would further submit that the appellate authority is the Board of Directors and therefore the submission that the Managing Director usurped the power of disciplinary authority does not arise and further submitted that in the impugned order itself alternative remedy is mentioned. In this connection, the learned Standing Counsel relied upon Rule 10 of the Common Service Rules.

5.Since there was simultaneous disciplinary proceedings in respect of the very same occurrence against the Deputy Manager, the Managing Director has passed the impugned order and therefore the submission that the Managing Director usurped the power of disciplinary authority does not arise. This Court is fully convinced to the submissions made by the learned Standing Counsel.

6.This Court do not find any merit in this writ petition as there is an alternative remedy. The writ petition is dismissed. Liberty is granted to the petitioner to approach the appellate authority, within a

C.KUMARAPPAN,J.



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period of two weeks from the date of receipt of a copy of this order. If

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such appeal is filed, the appellate authority shall dispose of the same, within a further period of four weeks. No costs. Consequently, connected miscellaneous petition is closed.

01.08.2025

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

The Managing Director,
Tamil Nadu State Transport Corporation (VPM) Ltd.,
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