



W.A.No.1906 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 30.06.2025

CORAM :

THE HON'BLE MR. JUSTICE R.SUBRAMANIAN
AND
THE HON'BLE MR.JUSTICE K.SURENDER

W.A.No.1906 of 2025

The Management of State Express
Transport Corporation (Tamil Nadu) Ltd.,
rep.by its Managing Director
Pallavan Salai
Chennai 600 002

.. Appellant

v.

1. A.Palanichamy

2. The General Manager
State Express Transport Corporation
(Tamil Nadu) Ltd.,
Pallavan Salai
Chennai 600 002

3. The Branch Manager
State Express Transport Corporation
(Tamil Nadu) Ltd.,
Madurai Branch, Madurai

.. Respondents

Memorandum of Grounds of Writ Appeal filed under Clause 15 of the



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Letters Patent against the order dated 25.06.2024 passed in W.P.No.26198 of 2021.

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For Appellant :: Mr.S.S.Santhosakumar

For Respondents :: Mr.V.Ajoy Khose for R1

JUDGMENT

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

We see no merit in the appeal. A declaration that the recovery effected from the salary of the first respondent, who was a Conductor, for the alleged loss of tickets is illegal, and a mandamus for refunding the amount that was recovered, was sought for by the first respondent herein in W.P.No.26198 of 2021.

2. It is the claim of the first respondent that while he was working as a Conductor in the Madurai-Chennai route, the unused ticket books to the value of about Rs.1,13,590/- were lost in the Koyambedu bus terminus. The loss was reported immediately and a First Information Report was registered on the same day. The loss was reported by the Branch Manager at Madurai

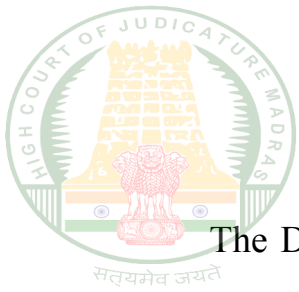


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to the General Manager of the Corporation. It is the claim of the first respondent that recovery is being made without any proceeding being taken against him. Reliance was also placed on a settlement reached between the Union and the Management on 06.02.2008, in and by which the Management had agreed not to recover the value of the lost unused tickets, unless it is shown that the loss is due to the negligence of the Conductor concerned.

3. The writ Court, taking note of the previous judgment of this Court in *Palanisamy v. Management of Rani Mangammal Transport Corporation Ltd., Dindigul* reported in 2002 (4) L.L.N. 1129 and other judgments of the Madurai Bench of this Court, held that the recovery for the value of lost unused tickets cannot be effected, except where it is shown that the loss was due to the negligence of the Conductor concerned.

4. The very same issue was considered by another Division Bench of this Court in *W.A.No.142 of 2012 dated 16.09.2014 (K.C.Palanisamy v. Tamil Nadu State Transport Corporation (Coimbatore) Ltd., and another)*.



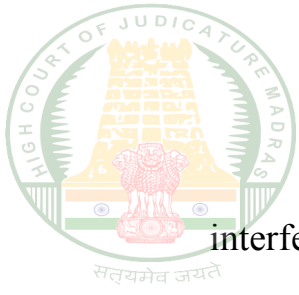
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The Division Bench followed another pronouncement of a Division Bench of this Court in *Rani Mangammal Transport Corporation Ltd., v. M.Palanisamy* reported in 2008 (1) MLJ 224.

5. It has been the uniform view of this Court that the value of unused tickets lost by a Conductor cannot be recovered from him, unless it is shown that the loss was occasioned due to the negligence of the Conductor. This makes it imperative on the part of the Corporation to conduct an enquiry and reach a conclusion as to whether there was any negligence on the part of the Conductor.

6. In the case on hand, we find that the loss was immediately reported to the police as well as the Corporation and no enquiry was conducted in order to find out as to whether there was any negligence on the part of the Conductor. Recovery was made straightaway from the salary of the Conductor. It is this practice which has been denounced by this Court in *K.C.Palanisamy v. Tamil Nadu State Transport Corporation (Coimbatore) Ltd.* In view of the said settled position of law, we do not find any reason to



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interfere with the order of the writ Court. The writ appeal fails and it is, accordingly, dismissed. Consequently, C.M.P.No.14530 of 2025 is also dismissed. No costs.

Index : yes/no
Neutral citation : yes/no

(R.S.M.,J.) (K.S.,J.)
30.06.2025

SS

To

1. The Managing Director
State Express Transport Corporation
(Tamil Nadu) Ltd.,
Pallavan Salai
Chennai 600 002
2. The General Manager
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