



W.P.(MD).No.1063 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2025

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.1063 of 2025
and W.M.P.(MD)Nos.691 & 692 of 2025

Gurunathan

... Petitioner

Vs

The General Manager,
Tamil Nadu State Transport Corporation Ltd,
Karaikudi Zone,
Karaikudi
Sivagangai District

...Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorafied Mandamus, calling for the entire relevant records related to the impugned order passed by the Respondent against the petitioner, vide: TNSTC/KKD/DS-10060/PCOO36/D3-777/2024, dated: 13.12.2024, and set aside the same as illegal for the reason of Violation of natural Justice without any enquiry and consequently direct the respondent to provide all relevant records, basic complaint, standing order copies for proper enquiry against the petitioner.

For Petitioner

: Mr.R.Senthilkumar

For Respondent

: Mr.K.Ramaiah
TNSTC Standing Counsel



W.P.(MD).No.1063 of 2025

ORDER

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The instant Writ Petition has been filed by a Conductor working in the respondent transport corporation, challenging the show cause notice issued by the respondent on 13.12.2024.

2. A perusal of the impugned show cause notice reveals that the petitioner was issued with a charge memo on 14.11.2024 and submitted his explanation on 22.11.2024. However, without conducting any enquiry, the impugned show cause notice has been issued proposing to impose punishment of postponement of increment for a period of three months without cumulative effect. The said order is put to challenge in the present writ petition.

3. According to the learned Counsel appearing for the writ petitioner, after submitting his explanation for the said charge memo, without conducting any enquiry the present impugned show cause notice has been issued to the writ petitioner.

4. Heard both side and perused the available material on record.



W.P.(MD).No.1063 of 2025

WEB COPY

5. The facts captured above will clearly indicate that without conducting any enquiry, the second show cause notice has been issued to the writ petitioner. The said act is clear violation of principles of natural justice.

6. In view of the above said circumstances, the impugned show cause notice dated 13.12.2024 is hereby set aside and the respondent is directed to conduct enquiry after giving due opportunity to the writ petitioner and pass appropriate orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above said observations, this Writ Petition is disposed of . There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

20.01.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
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W.P.(MD).No.1063 of 2025

R.VIJAYAKUMAR, J.

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To

The General Manager,
Tamil Nadu State Transport Corporation Ltd,
Karaikudi Zone,
Karaikudi
Sivagangai District

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