



W.P.(MD).No.2694 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.2694 of 2025

and

W.M.P(MD) No.1900 of 2025

K.Pandi

... Petitioner

Vs.

The General Manager,
Tamil Nadu State Transport Corporation,
(Madurai) Limited,
Madurai Region,
Madurai District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records pertaining to the impugned order of the respondent in Ref: ஒந்து/D4/புற/5652, dated 31.08.2024 quash the same.

For Petitioner : Mr.G.M.Xavier

For Respondent : Mr.S.Raja
Standing Counsel



W.P.(MD).No.2694 of 2025

ORDER

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The present Writ Petition has been filed by a Senior Driver of the respondent Transport Corporation, challenging the order of punishment of postponement of increment for a period of six months with cumulative effect. Therefore, it could be seen that it is major penalty.

2. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondent.

3. A perusal of the records reveal that the petitioner while he was driving the bus on 12.08.2024 it was involved in an accident. The petitioner was suspended on the same day and a charge memo was also issued to him. The petitioner has submitted his explanation on 22.08.2024 and no enquiry was conducted. The second show cause notice was issued on 26.08.2024. Since the petitioner has not submitted any further explanation, the present impugned punishment order has been issued.



W.P.(MD).No.2694 of 2025

WEB COPY

4. The facts captured above would clearly indicate that the petitioner has been imposed with a major penalty without conducting any enquiry whatsoever. In such circumstances, this Court is inclined to set aside the said order.

5. In view of the above said facts, the order impugned in the writ petition is set aside with liberty to the respondent Transport Corporation to appoint an Enquiry Officer and after conducting an enquiry, appropriate orders may be passed.

6. With the above said observations, this Writ Petition stands allowed. There shall be no order as to costs. Consequently connected Miscellaneous Petition stands closed.

30.01.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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W.P.(MD).No.2694 of 2025

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To
The General Manager,
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W.P.(MD).No.2694 of 2025

R.VIJAYAKUMAR,J.

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W.P(MD)No.2694 of 2025

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