



W.P.(MD) No.3117 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2025

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.3117 of 2020

and

W.M.P.(MD) No.2662 of 2020

M.Thirumaran

... Petitioner

-vs-

The General Manager
The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.
Karaikudi Region, Maruthupathi
Karaikudi, Sivagangai

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari calling for records pertaining to the impugned order of the respondent in Ref. TNSTC/TS/T5/1/18 dated 12.06.2018 quash the same as illegal.

For Petitioner : Mr.A.George Stephen Kanikkari Raj

For Respondent : Mr.P.Balasubramanian
Standing Counsel



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ORDER

This writ petition has been filed challenging the impugned order dated 12.06.2018, passed by the respondent – Transport Corporation, imposing the punishment of two years increment cut with cumulative effect on the petitioner.

2. The petitioner was working as a Driver in the respondent – Transport Corporation. While he was driving a bus belonging to the respondent – Transport Corporation, a lady passenger deboarded the bus before it stopped and fell down from the bus, which resulted in her death. The case of the petitioner is that the Conductor, who was also charged in the disciplinary proceedings along with the petitioner for the very same incident, has been awarded with a lesser punishment, namely, two years increment cut without cumulative effect, whereas the Driver of the bus, namely, the petitioner has been awarded with a higher punishment, though the Conductor was responsible to take care of the passengers in the bus and to see that they do not deboard the bus before it actually stopped.

3. Admittedly, if aggrieved by the impugned order, the petitioner is having the appeal remedy before the Managing Director of the respondent – Transport Corporation.



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4. Learned counsel for the petitioner also submits that though the petitioner has already preferred an appeal before the Managing Director of the respondent – Transport Corporation, but, till date, no final order has been passed.

5. No prejudice will be caused to the respondent – Transport Corporation, if a direction is issued to the petitioner to file a fresh appeal before the Managing Director of the respondent – Transport Corporation as against the impugned order dated 12.06.2018 within a time frame to be fixed by this Court and a direction is issued to the Managing Director of the respondent – Transport Corporation to entertain the said appeal and pass final orders on merits and in accordance with law within a time frame to be fixed by this Court.

6. Learned Standing Counsel appearing for the respondent – Transport Corporation has also not raised serious objection, if such a direction is issued by this Court.

7. This Court is not expressing any opinion on the merits of the petitioner's case, as it is for the Managing Director of the respondent –



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Transport Corporation being the appellate authority to decide the same on merits and in accordance with law.

8. Accordingly, this writ petition is disposed of by directing the petitioner to file an appeal before the Managing Director of the respondent – Transport Corporation as against the impugned order dated 12.06.2018, passed by the respondent – Transport Corporation, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said appeal, the Managing Director of the respondent – Transport Corporation shall pass final orders on merits and in accordance with law, within a period of twelve weeks thereafter. No costs. Consequently, connected miscellaneous petition is closed.

24.10.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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ABDUL QUDDHOSE, J.

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