



WEB COPY

W.P.(MD) No.7025 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.11.2025

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.7025 of 2021

and

W.M.P.(MD) No.5392 of 2021

M.Jeeva Kumar

... Petitioner

-VS-

1.The Tamilnadu State Transport
Corporation (Tirunelveli) Ltd.
Nagercoil Region
rep.by its General Manager
Ranithottam Branch
Nagercoil
Kanyakumari District

2.The Deputy Manager (Salary)
TNSTC, Ranithottam Branch
Nagercoil
Kanyakumari District

3.T.Balakrishnan

... Respondents



WEB COPY

W.P.(MD) No.7025 of 2021

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to quash the final order passed by the 1st respondent in 1804/LEEKAL04/OZUNGU/THAAAPOOKA/EERA-1/2018 dated 15.09.2020 and there by direct the 1st respondent to treat the period of suspension on duty with pay for all purposes with all consequential benefits.

For Petitioner : Mr.G.Cenil

For Respondents : Mr.D.Jebaraj
Standing Counsel for R1 & R2
R3 – Left

ORDER

This writ petition has been filed challenging the impugned order dated 15.09.2020, passed by the first respondent, imposing the punishment of stoppage of increment for a period of one year without cumulative effect on the petitioner.

2. The petitioner claims that he is an innocent. According to the petitioner, the charges framed against him in the disciplinary proceedings are



W.P.(MD) No.7025 of 2021

WEB COPY

false. The petitioner claims that without any basis, the respondents have framed charges against him as if there were less number of passengers in the bus, when he was on duty as driver. The petitioner is a driver in the respondent – Transport Corporation. The petitioner also claims that there was no proper enquiry held by the respondents before imposing the punishment of stoppage of increment for a period of one year without cumulative effect. He claims that there were many passengers in the bus. But, vindictively, in order to punish him, the official respondents have framed false charges against him in the disciplinary proceedings.

3. A detailed counter affidavit has been filed by the official respondents denying the contentions of the petitioner.

4. Admittedly, if aggrieved by the impugned order dated 15.09.2020, passed by the first respondent, the petitioner is having the alternative appeal remedy available to him before the Managing Director of the respondent – Transport Corporation.



W.P.(MD) No.7025 of 2021

WEB COPY

5. Learned counsel for the petitioner would now submit, on instructions, that the petitioner is willing to file an appeal before the Managing Director of the respondent – Transport Corporation, provided the Appellate Authority adheres to the principles of natural justice when it passes the final orders.

6. Learned Standing Counsel appearing for the respondent – Transport Corporation has also not raised any serious objection, if permission is granted to the petitioner by this Court to file an appeal before the Managing Director of the respondent – Transport Corporation 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 dispose of the appeal after adhering to the principles of natural justice within a time frame to be fixed by this Court.

7. For the foregoing reasons, this writ petition is disposed of by directing the petitioner to file an appeal before the Managing Director of the respondent – Transport Corporation (Appellate Authority) challenging the impugned order dated 15.09.2020, passed by the first respondent, within a



W.P.(MD) No.7025 of 2021

WEB COPY

period of two weeks from the date of receipt of a copy of this order. On receipt of the said appeal from the petitioner within the stipulated period, the Managing Director of the respondent – Transport Corporation shall entertain the same, without insisting that the appeal ought to have been filed within the period of limitation, and pass final orders on merits and in accordance with law by adhering to the principles of natural justice, within a period of eight weeks thereafter. No costs. Consequently, connected miscellaneous petition is closed.

13.11.2025

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

krk



WEB COPY



W.P.(MD) No.7025 of 2021

ABDUL QUDDHOSE, J.

krk

W.P.(MD) No.7025 of 2021
and
W.M.P.(MD) No.5392 of 2021

13.11.2025