



W.A(MD) No.1615 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 23.06.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

W.A(MD) No.1615 of 2025

and

C.M.P.(MD)No.9123 of 2025

1.The General Manager,
Tamil Nadu Transport Corporation,
Trichy By-Pass Road,
Dindigul District.

2.The Managing Director,
Head Branch,
Tamil Nadu Transport Corporation,
Tirumangalam By-Pass Road,
Madurai-625 010.

3.The Branch Manager,
Tamil Nadu Transport Corporation,
Lower Camp Branch, Lower Camp,
Theni District.

... Appellants / Respondents 2to 4

Vs.

1.P.Murugaprabhu

... 1st Respondent / Writ Petitioner

2.The Principal Secretary,
Tamil Nadu Transport Department,
Fort St.George,
Chennai.

... 2nd Respondent / 1st Respondent



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PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order passed in W.P.(MD)No.8951 of 2024, dated 12.04.2024.

For Appellant : Mr.SC.Herold Singh

For Respondents : Mr.S.M.Ramasiva
for R1

ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The writ petitioner was appointed as driver in the appellant transport corporation. The bus driven by him met with a fatal accident. The writ petitioner was prosecuted. He was sentenced to one year imprisonment. Aggrieved by the same, the writ petitioner filed CrI.A.No. 139 of 2023 on the file of the Principal District and Sessions Judge, Dindigul. Since the writ petitioner was convicted, the corporation rightly terminated his services. Challenging the same, the writ petitioner filed W.P.(MD)No.8951 of 2024. The learned Judge allowed the writ petition



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and directed the appellant Management to grant employment to the writ petitioner. According to the learned single Judge, since the writ petitioner's sentence had been suspended, he cannot be disengaged. Challenging the said order of the learned single Judge, this writ appeal has been filed.

3. When the writ appeal was taken up for admission, the learned counsel who appeared for the writ petitioner took notice. He fairly brought to our notice that the criminal appeal filed by the writ petitioner was dismissed on 18.09.2024. Challenging the same, he had filed CrI.R.C.(MD)No.937 of 2024 and that the revisional Court had suspended the sentence vide order dated 12.11.2024 in CrI.M.P.(MD)No. 10333 of 2024. It is a fact that the writ petitioner's sentence alone had been suspended. His conviction has not been stayed. Once an employee has suffered conviction, he is automatically disqualified. His rights would of-course abide by the eventual outcome of the criminal proceedings. If the writ petitioner succeeds in CrI.R.C.(MD)No.937 of 2024, he would be entitled to reinstatement subject to the departmental proceedings. Since as on date, the petitioner's status is that of a



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convicted employee, the learned Judge erred in directing his reinstatement. The impugned order passed by the learned single Judge is set aside. The Writ Petition stands dismissed.

4. The Writ Appeal is allowed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S., J.) (K.R.S., J.)
23.06.2025

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Index : Yes / No
Internet : Yes / No
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