



W.P.(MD)No.8367 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.03.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.8367 of 2025

G.Settu

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam
Thanjavur District

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Trichy Region,
Periyamilaguparai,
Tiruchirapalli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Declaration, declaring the action of respondents transport corporation which had recovered a sum of Rs.1,95,000/- towards non-implementable punishment imposed on the petitioner as illegal, arbitrary and violative of Article 14 of the constitution of India and consequently direct the respondents herein to refund the petitioner the recovery amount of Rs.1,95,000/- along with 6% per annum within the stipulated time that may be fixed by this Court.



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For Petitioner : Mr.N.Sudhagar Nagaraj

For Respondents : Mr.K.Ramaiah
Standing Counsel

ORDER

The petitioner has filed this petition for issuance of Writ of Declaration declaring the action of respondents transport corporation which had recovered a sum of Rs.1,95,000/- towards non-implementable punishment imposed on the petitioner as illegal, arbitrary and violative of Article 14 of the constitution of India and consequently direct the respondents herein to refund the petitioner the recovery amount of Rs.1,95,000/- along with 6% per annum within the stipulated time that may be fixed by this Court.

2. When the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that the issue is covered by the decision of this Court dated 26.11.2019 rendered in W.P.No.21762 of 2019, in which the impugned order in respect of increment cut has been quashed. Aggrieved by the order of the learned single Judge, the Transport Corporation preferred W.A. (MD)No.1270 of 2022 dated 15.06.2021 and the order of the learned single Judge was confirmed by the Division Bench of this Court and the writ appeal



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was dismissed. The learned counsel further cited another decision of this Court

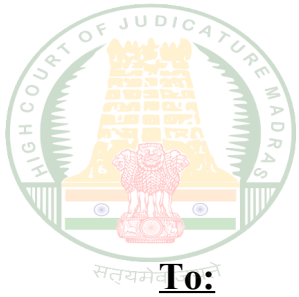
rendered in W.P.(MD)No.16524 of 2022 dated 14.09.2022 in which the order passed by the respondent for recovery was quashed.

3. In view of the ratio laid down by this Court, the respondents are hereby directed to reimburse a sum of Rs.1,95,000/- which was recovered from the petitioner along with interest @ 6% p.a. from the date of recovery to till date of settlement / payment. The above amount along with the interest as stated above shall be settled to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

4. With the above direction this Writ Petition stands allowed. No costs.

26.03.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Sn



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BATTU DEVANAND, J.

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