



W.A.(MD)No.1126 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 13.08.2025

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

**W.A.(MD)No.1126 of 2020
and
C.M.P.(MD)No.6147 of 2020**

1.The Managing Director,
Tamil Nadu State Transport
Corporation Madurai Ltd.,
Bye Pass Road, Madurai.

2.The General Manager,
Tamil Nadu State Transport
Corporation Madurai Ltd.,
Dindigul Region, Dindigul.

... Appellants

Vs.

M.Balakrishnan

... Respondent

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD)No.11104 of 2018 dated 01.02.2019 on the file of this Court.



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For Appellants : Mr.J.Senthil Kumaraiah

For Respondent : Mr.A.Rahul

JUDGMENT
(By G.R.SWAMINATHAN, J.)

Heard both sides.

2.The management of TNSTC, Madurai Limited is on appeal challenging the order dated 01.02.2019 made in W.P.(MD)No.11104 of 2018 filed by the respondent herein.

3.The respondent herein is employed as Conductor in the appellant corporation. He lost his ticket book having face value of Rs.47,165/- at Dindigul bus stand on 12.09.2017. In this regard, order dated 14.04.2018 was passed by the management imposing recovery to the tune of Rs.47,165/- in ten equally monthly installments from the respondent's salary. To quash the same, the aforesaid writ petition was filed and the learned Single Judge allowed the writ petition in the following terms:-



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“The petitioner challenges the order dated 14.04.2018, in and by which, a punishment for recovery of the face value of the ticket books that were lost by the petitioner was imposed by the Management.

2.A Division Bench of this Court of this Court in W.A.(MD)No.142 of 2012 (K.C.Palanisany Vs. The Tamilnadu State Transport orporation, (Coimbatore) Ltd, dated 16.09.2014 has held that in case of loss of tickets, the Corporation is entitled to recover the face value of the tickets, but it can only recover the cost of printing of the tickets.

3.In view of the same, the impugned order is quashed. The writ petition is allowed with liberty to the Corporation to recover the cost of printing of the tickets from the petitioner. No Costs. Consequently connected Miscellaneous Petition is closed.”

Aggrieved by the same, this writ appeal has been filed.

4.There is no merit in this writ appeal. It is to be noted that the punishment proposed to be inflicted is not one of the punishments catalogued in the Standing Orders. The Hon'ble Supreme Court in the decision reported in **(2012) 5 SCC 242 (Vijay Singh Vs. State of Uttar Pradesh)**, had held that the employee cannot be visited with a punishment that has not been prescribed or stipulated in the certified



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standing orders. The order of the learned Single Judge has to be sustained on these twin grounds.

5.The order of the learned Single Judge is sustained and the writ appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S. J.) & (K.R.S. J.)
13.08.2025

NCC : Yes/No
Index : Yes / No
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