



W.P.(MD)No.10129 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2025

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THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.10129 of 2023

and

W.M.P.(MD)Nos.8944 of 2023 & 2730 of 2024

R.Ramarajan

: Petitioner

Vs.

1.The Board of Directors,
Rep. By its Chairman,
Arasu Rubber Corporation Limited.,
TBGP Unit Office,
Nanmangalam,
Chennai – 600 100.

2.The Chairman cum Managing Director,
Arasu Rubber Corporation Ltd.,
Post Box No.75,
Vadasery, Nagercoil – 629 001.
Kanyakumari District.

: Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, issue a of a Writ of Certiorari, to call for the records on the file of the second respondent in connection with the impugned order of punishment of recovery passed by him in his proceedings in Se.Mu.Aanai.No.Pa2/5742/20 dated 10.01.2023 and quash the same as arbitrary and unlawful.

For Petitioner : Mr.K.Gurunathan
For Respondents : Mr.A.K.Manikkam,
Standing Counsel

ORDER

This Writ Petition has been filed challenging the impugned order dated 10.01.2023 passed by the second respondent imposing punishment of recovery of Rs.77,660/- on account of alleged loss to the respondent Corporation, which according to the respondent, the petitioner is responsible.

2.It is now brought to the notice of this Court by the learned Standing Counsel appearing for the respondents that aggrieved by the impugned order, an appeal has already been



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preferred by the petitioner and the same is pending before the first respondent. The said fact is also not disputed by the learned Counsel for the petitioner. However, he would submit that the said appeal was filed as early as in 24.03.2023, but till date, the appeal is yet to be disposed of. On that ground, he would submit that no useful purpose will be served, if a direction is issued by this Court to the appellate authority to dispose of the appeal within a time frame to be fixed by this Court.

3.In the considered view of this Court, the interest of the petitioner would be adequately protected, if a direction is issued to the respondents not to take any coercive steps against the petitioner for recovery of the amount from the petitioner as per the impugned punishment order passed by the second respondent, till the disposal of the appeal filed by the petitioner before the first respondent. Admittedly, in respect of the same cause of action namely the challenge made by the petitioner to the impugned punishment order two parallel proceedings are pending, one before the appellate authority namely first respondent and the other before this Court through this Writ Petition. When the petitioner has already filed the appeal, necessarily, this Court will have to direct the appellate



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authority to dispose of the appeal within a time frame to be fixed by this Court. At the same time to protect the interest of the petitioner, a direction should be given to the respondents not to take any coercive steps for the recovery of the said amount till the disposal of the appeal.

4. For the foregoing reasons, this Writ Petition is disposed of, by directing the first respondent to pass final orders in the petitioner's appeal on merits and in accordance with law and till final orders are passed, the respondents shall not take any coercive steps against the petitioner to recover the amount directed to be paid by the petitioner under the impugned order of the second respondent dated 10.01.2023. The first respondent shall pass final orders in the appeal within a period of six [6] weeks from the date of receipt of a copy of this order. In case, the appellate authority [first respondent] comes to the conclusion that the impugned order passed by the second respondent is erroneous and reverses the said order in the appeal, a direction is issued to the respondents to refund the recovered amount from the petitioner, if any, as expeditiously as possible.



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5. With the aforesaid direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

22.09.2025

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



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To

- 1.The Chairman,
Board of Directors,
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- 2.The Chairman cum Managing Director,
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ABDUL QUDDHOSE., J.

MR

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