



W.P.(MD)No.13435 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.11.2025

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THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.13435 of 2021

and

W.M.P.(MD)No.10520 of 2021

S.Kirubakaran

: Petitioner

Vs.

1.The Managing Director,

Tamil Nadu State Transport Corporation (TVL) Ltd.,

23/2, Thoothukudi Road,

Kattabomman Nagar,

Tirunelveli District – 627 007.

2.The General Manager,

Tamil Nadu State Transport Corporation (TVL) Ltd.,

Tirunelveli Region,

Tirunelveli District – 627 007.

3.The Assistant Manager, (Accounts),

Tamil Nadu State Transport Corporation (TVL) Ltd.,

Tirunelveli Region,

Tirunelveli District – 627 007.

: Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the third respondent in impugned order in KA.No. 0606/VAINEE2/TNSTC (TVL)/TVL/2020 dated 09.07.2021 and quash the same and further and consequently direct the respondents not to recover money from the petitioner's pension amount by this Court.

For Petitioner : Mr.K.Gokul
For Respondents 1 to 3 : Mr.D.Jebaraj
Standing Counsel

ORDER

This Writ Petition has been filed challenging the impugned order passed by the third respondent dated 09.07.2021, deciding to revise the pension of the petitioner by stating that the petitioner's pension should not be given on notional pay. According to the petitioner, a sum of Rs.1208/-, has been deducted from the pension amount of the petitioner. The petitioner has challenged the impugned order on the ground of violation of principles of natural justice. Since the petitioner was not granted an opportunity to submit his explanation, the petitioner claims that the impugned order



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has to be quashed on the ground of violation of principles of natural justice.

2.Counter affidavit has been filed by the second respondent denying the contentions of the petitioner. However, in the counter affidavit, the respondents have not stated as to whether the petitioner was heard before passing the impugned order.

3.Since the impugned order passed by the third respondent, reducing the pension payable to the petitioner ought to have passed after providing an opportunity for the petitioner to submit his explanation and only after considering the said explanation, by a speaking order, the third respondent ought to have passed the final orders. Since the impugned order has been passed in violation of the principles of natural justice, the impugned order has to be quashed and the matter has to be remanded back to the third respondent for fresh consideration on merits and in accordance with law, within a time frame to be fixed by this Court.

4.The petitioner is directed to send an explanation to the third respondent as to why such an impugned order cannot be passed, within a period of two [2] weeks from the date of receipt of a



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copy of this order. On receipt of the said explanation within the stipulated time, the third respondent, after giving due consideration to the said explanation shall pass final orders on merits and in accordance with law, within a period of twelve [12] weeks, thereafter. Till final orders are passed, it is made clear that the petitioner shall continue to receive pension only in accordance with the impugned order and only subject to the outcome of the final order, if at all the petitioner succeeds, the earlier pension paid to the petitioner prior to the passing of the impugned order shall continue.

5. With the above directions, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

14.11.2025

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



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ABDUL QUDDHOSE., J.

MR

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