

W.P.(MD)No.13559 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.04.2025

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THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.13559 of 2025

S.Ramaraj

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam,
Thanjavur-612 001.

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Declaration, declaring the deduction of Rs.64,296/- from the petitioner's salary towards “increment cut” as illegal, arbitrary and unenforceable, and consequently direct the respondents to refund the said amount along with all consequential pensionary benefits, within a stipulated time.

For Petitioner : Mr.N.Sudhagar Nagaraj

For Respondents : Mr.K.Ramaiah
Standing Counsel



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ORDER

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The petitioner has filed this petition for issuance of Writ of Declaration, declaring the action of respondents which had recovered a sum of Rs.64,296/- towards non-implementable punishment imposed on the petitioner as illegal and arbitrary and consequently direct the respondents to refund the said amount along with all consequential pensionary benefits, within a time frame 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 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.



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3. In view of the ratio laid down by this Court, the respondents are hereby directed to reimburse a sum of Rs.64,296/- 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.

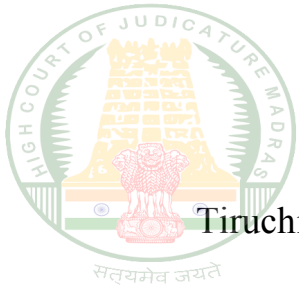
4. With the above direction, this Writ Petition stands allowed. No costs.

30.04.2025

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

To:

- 1.The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam,
Thanjavur-612 001.
- 2.The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Trichy Region,
Periyamilaguparai,



Tiruchirappalli District.

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BATTU DEVANAND, J.

Sn

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