



W.P.(MD)No.13888 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2025

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THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.13888 of 2023

and

W.M.P.(MD)No.11725 of 2023

M.Selvam

: Petitioner

Vs.

1.The Managing Director,

Tamil Nadu State Transport Corporation (KMB) Ltd.,
New Railway Station Road,
Kumbakonam – 612 001.

2.The General Manager,

Tamil Nadu State Transport Corporation (KMB) Ltd.,
Kumbakonam Region,
27, New Railway Station Road,
Kumbakonam – 612 001.

3.The Administrator,

Tamil Nadu State Transport Corporations
Employees Pension Trust,
Thiruvalluvar Illam, SETC Ltd.,



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Tamil Nadu Office, Pallavan Salai,
Chennai – 600 002.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the second respondent in Tha.Aa.Po.Ka/D-6/ADP/218/2000 dated 13.04.2023 and quash the same as illegal and consequently direct the respondents to calculate and disburse the terminal benefits after including two increments in the basic pay with interest within the time stipulated by this Court.

For Petitioner : Mr.K.Gokul
For Respondents : Mr.S.C.Herold Singh,
Standing Counsel

ORDER

This Writ Petition has been filed challenging the impugned order dated 13.04.2023 passed by the second respondent, imposing the punishment of two stage reduction in last drawn basic pay on the petitioner.



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2.The petitioner has challenged the impugned order on the ground that the same has been passed by total non-application of mind to the fact that no punishment can be imposed after the petitioner has retired from service.

3.Counter affidavit has been filed by the second respondent on behalf of all the respondents denying the contentions of the petitioner.

4.However, learned Counsel for the petitioner drew the attention of this Court to the following decisions of the Madras High Court:

a) Order dated **10.09.2024** passed by the learned Single Judge in ***W.P.(MD)No.20112 of 2024***.

b) A Division Bench judgment dated **15.07.2025** in ***W.A.(MD)No.1883 of 2025***.

5.In the aforesaid decisions, it has been categorically held that when there is no provision either under the Standing Order or under Service Regulations of the Transport Corporation to continue the disciplinary proceedings after the date of the retirement, no



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punishment order can be passed against a retired employee. The very same Transport Corporation which is the respondent herein was also a party in the aforesaid decisions, rendered by this Court. Therefore, the respondent Transport Corporation is bound by the aforesaid decisions, as in the aforesaid decisions, it has been clearly held that when there is no provision either under the Standing Order or under Service Regulations of the Transport Corporation to continue the disciplinary proceedings after the date of retirement, no punishment order can be imposed against a retired employee.

6.In the case on hand as well, the petitioner is a retired employee of the respondent Transport Corporation and he has retired from service on 30.04.2012. However, the impugned punishment order came to be passed only on 13.04.2023, after the petitioner has retired from service. The decisions relied upon by the learned Counsel for the petitioner, referred to supra squarely applies to the case on hand as well. In view of the same, the impugned order passed by the second respondent has to be quashed and this Writ Petition will have to be allowed.

7.Accordingly, the impugned order passed by the second respondent dated 13.04.2023 is hereby quashed and this Writ



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Petition is allowed. There shall be no order as to costs. Consequently,
the connected miscellaneous petition is closed.

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Index :Yes / No
Internet : Yes / No
NCC : Yes/No
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ABDUL QUDDHOSE., J.

MR

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