



W.P(MD)NO.16107 of 2023

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED :10.09.2025**

**CORAM:**

**THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE**

**W.P(MD)No.16107 of 2023**

**and**

**W.M.P(MD)No.13498 of 2023**

K.Samayadurai

... Petitioner

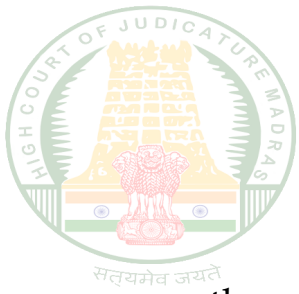
.Vs.

1.The Managing Director,  
Tamil Nadu State Transport Corporation(Kum) limited,  
TNSTC Head Office,  
No.27, Railway Station New Road,  
Kumbakonam.

2.The General Manager,  
Tamil Nadu State Transport Corporation(Kum) Limited,  
Karaikudi Region,  
Maruthupatti, Managiri,  
Karaikudi,  
Sivagangai District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for



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the records relating to the impugned charge memo in TNSTC/KKD/DS-3544/FAT01/D5-288/2022, dated 22.08.2022 issued by the second respondent and quash the same.

For Petitioner : Mr.P.Vijaynivas

For Respondents : Mr.K.Ramaiah  
Standing Counsel

### **ORDER**

This Writ Petition has been filed challenging the impugned charge memo, dated 22.8.2022 issued to the Petitioner.

2.The Petitioner is a Driver employed with the respondents/Transport Corporation. On account of an accident, when driving the bus owned by the respondents/Transport Corporation, which resulted in the death of the victim, the impugned charge memo has been issued to the Petitioner. The Petitioner claims that he was not responsible for the cause of the accident. Earlier, the Petitioner was suspended from service and thereafter suspension order was revoked by the respondents/Transport Corporation. The same is also not disputed by the learned Standing Counsel appearing for the respondents. The Petitioner has challenged the impugned charge memo on the

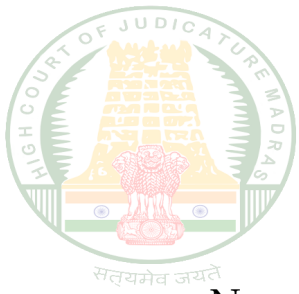


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ground that subsequently a final report has been filed under Section 173 of Cr.P.C and as seen from the final report, the FIR has been closed, since it has been found that the complainant's case is false. The final report, dated 5.3.2023 issued under Section 173 Cr.P.C has also been filed as a document along with this Writ Petition. The learned counsel for the petitioner has also placed on record before this Court a decision of the Division Bench of this Court, dated 8.8.2025 and would submit that in a similar case where the FIR has been closed in the final report on the ground that the case of the complainant is false, the Division Bench had upheld the order of the learned Single Judge quashing the charge memo. The case on hand, is identical to the decision rendered by the Division Bench of this Court, dated 8.8.2025 in the case of *The General Manager, Tamil Nadu State Transport Corporation(Kumbakonam)Limited, Karaikudi Region, Karuthupathi, Managiri, Karaikudi, Sivaagangai District .vs. S.Matheswaran made in W.A(MD)No.2088 of 2025.*

3.Even though counter has been filed by the respondents reiterating the contentions of the charge memo, this Court is allowing this Writ Petition in view of the admitted fact that in the final report under Section 173 Cr.P.C., it has been declared that the complaint given against the Petitioner as a false complaint.



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Necessarily, the impugned charge memo has to be quashed. It is also to be noted that till date, no further proceedings were initiated by the respondents, even though the charge memo is dated 22.8.2022, despite the fact, there was no interim stay of the operation of the impugned charge memo granted by this Court in favour of the Petitioner at the time of admission of this Writ Petition, even though this Writ Petition was filed in the year 2023 itself.

4. For the foregoing reasons, necessarily the impugned charge memo, dated 22.8.2022 has to be quashed and this Writ Petition has to be allowed. Accordingly, the impugned charge memo issued by the second respondent is hereby quashed and this Writ Petition is allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

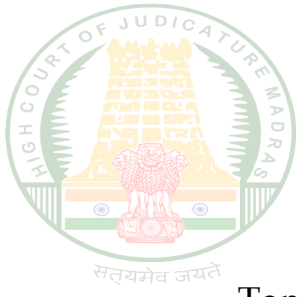
**10.09.2025**

NCS : Yes/No  
Index : Yes / No  
Internet : Yes / No  
vsn

To

1. The Managing Director,

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2.The General Manager,  
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Maruthupatti, Managiri,  
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**ABDUL QUDDHOSE.,J.**

vsn

**ORDER MADE IN**

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**and**  
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