



WP(MD). No.16057 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 04.12.2025

CORAM

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

WP(MD)No.16057 of 2023

C.Arokiyasamy

... Petitioner

versus

The Management of
Tamilnadu State Transport Corporation
(Madurai) Ltd.,

Dindigul Region,
Rep. by its General Manager,
Dindigul

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent to pay the petitioner the amount payable as VRS compensation, after revising the same based on the order dated 13.12.2022 in W.P.(MD)No. 26 of 2014, together with 10% interest p.a. from 01.03.2012 within a time frame as may be fixed by this Court.

For Petitioner : Mr.S.Arunachalam
For Respondent : Mr.S.Raja,
Standing Counsel

ORDER

The petitioner is a retired employee of the Transport Corporation. He retired from service on 29.02.2012 under VRS scheme, for which, the compensation was fixed at Rs.40,625. However, the petitioner was



WP(MD). No.16057 of 2023

imposed with a punishment of reduction of salary for five stages with cumulative effect, which led to reduction of terminal benefits including VRS compensation. Now, the petitioner has filed this writ petition seeking VRS compensation, after revising the same, based on the order dated 13.12.2022 passed in W.P.(MD) No.26 of 2014, together with interest at the rate of 10% p.a. from 01.03.2012 within a stipulated time.

2. This writ petition was entertained by this court, by order dated 04.07.2023. While entertaining this writ petition, Mr.S.Raja, learned Standing Counsel, took notice for the respondent and sought time for filing counter. Despite this writ petition being periodically adjourned for filing counter, sofar, no counter affidavit has been filed by the respondent, denying the claim made by the petitioner. Therefore, this Court is inclined to proceed with this writ petition, based on the available materials.

3. A reading of the materials reveals that the petitioner was eligible for VRS compensation of Rs.40,625/- according to the communication of the respondent Management dated 29.02.2012. The petitioner was



imposed with a penalty of reduction of salary for five stages with cumulative effect on 08.11.2011 on the charge that he caused an accident by driving a bus in a rash and negligent manner. As against the order of punishment dated 08.11.2011, the petitioner has filed a writ petition in W.P.(MD)No.26 of 2014. This Court, vide order dated 13.12.2022, allowed the writ petition by setting aside the order of punishment. The relevant portion is extracted as under:

“10. This Court is of the considered opinion that, it is not a mistake of the petitioner and it is a mistake of the person, who have crossed the road. Moreover, the reduction is affecting the petitioner's pensionary benefits. Recently, the Principal Bench of this Court has directed the respondents to consider reducing the punishment, except in the case of misappropriation. Hence, this Court is inclined to set aside the punishment for the above stated reasons.

11. At this point of time, the learned counsel appearing for the respondent management submitted that, even though five years period of punishment was imposed to the petitioner, the same could not be implemented, since the petitioner was retired from service under Voluntary Retirement Scheme and the punishment imposed only for a period of two months.



WP(MD). No.16057 of 2023

12. By taking note of the same, the impugned order, dated 08.11.2011 passed in Ref:SaThua:A5:3202, is hereby quashed. The respondents are directed to pay consequential monetary and pensionary benefits to the petitioner, within a period of 12 weeks from the date of receipt of a copy of the order. It is made clear that the petitioner is not entitled to any interest for the belated payment.

With the above directions, this Writ Petition is disposed of. No Costs."

5. Since the order of punishment dated 08.11.2011 issued as against the petitioner has been set aside in the above order, this writ petition is allowed with a direction to the respondent Management to settle the remaining VRS compensation payable to the petitioner, if any. However, there shall be no payment of interest for belated payment as clarified in the above order. No costs.

04.12.2025

ogy

Index : Yes / No.

Internet: Yes / No.

NCC : Yes / No.



WP(MD). No.16057 of 2023

To
WEB COPY

The General Manager,
Tamilnadu State Transport Corporation
(Madurai) Ltd.,
Dindigul Region,
Dindigul



WEB COPY



WP(MD). No.16057 of 2023

B.PUGALENDHI, J.

ogy

WP(MD) No.16057 of 2023

04.12.2025