



W.P(MD)No.19483 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.09.2025

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THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P(MD).No.19483 of 2022

and

W.M.P(MD).No.14230 of 2022

P.Ravi

... Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport Corporation Kumbakonam Ltd.,
Kumbakonam, Thanjavur District.

2. The General Manager,
Tamil Nadu State Transport Corporation Kumbakonam Ltd.,
Trichy Region. ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the recorder pertaining to 1st respondent passed the impugned order in reference TNSTC/TRY/DS-1431/M1B013/D7-3200/2020 dated 11.07.2022 it is illegal and quash the same.



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For Petitioner : Mr.Vadivel .A,

For Respondent : Mr.S.C.Herold Singh,

Standing Counsel

ORDER

This writ petition has been filed challenging the impugned orders dated 21.12.2021 passed by the second respondent and 11.07.2022 passed by the first respondent imposing the punishment of one year increment cut with cumulative effect on the petitioner.

2.Charges were framed against the petitioner by the Transport Corporation on the allegation that the petitioner at about 01.00 p.m. had beaten the Conductor by name P.K.Hariharan and abused him by using his caste name. The petitioner is the Driver employed at the respondent Transport Corporation. In the domestic enquiry conducted by the respondent Transport Corporation, the petitioner was found guilty of the charges and based on the same, after issuing show cause notice to the petitioner, the second respondent imposed the punishment of one year increment cut with cumulative effect on the petitioner. Aggrieved by the same, the petitioner preferred an appeal

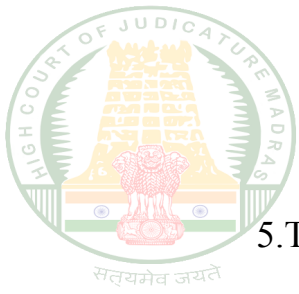


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before the first respondent. The first respondent also confirmed the order of the second respondent, dated 21.12.2021 by passing the order dated 11.07.2022. However, as seen from the impugned order passed by the first respondent, dated 11.07.2022, the grounds raised by the petitioner for challenging the order, dated 21.12.2021 passed by the second respondent have not been considered as there is no discussion made by the first respondent in his order dated 11.07.2022.

3. Therefore, it is clear that the impugned order passed by the first respondent dated 11.07.2022 is a non-speaking order with regard to the grounds raised by the petitioner in the grounds of appeal challenging the order dated 21.12.2021 passed by the second respondent.

4. The petitioner categorically contended that the charges framed against him in the disciplinary proceedings are false charges and that he has not been granted opportunity by the first respondent in the appeal filed before the first respondent which culminated in the passing of the impugned order dated 11.07.2022 by the first respondent.



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5.This Court also perused and examined the impugned order dated 11.07.2022 passed by the first respondent and as seen from the same, the said impugned order is a non-speaking order as there is absolutely no discussion with regard to the grounds raised by the petitioner in the appeal filed by the petitioner before the first respondent. Since the impugned order of the first respondent dated 11.07.2022 is a non-speaking order, necessarily the impugned order is to be quashed and the matter has to be remanded to the first respondent (appellate authority) for fresh consideration on merits and in accordance with law within the time frame to be fixed by this Court.

6.For the foregoing reasons, the impugned order dated 11.07.2022 passed by the first respondent is hereby quashed and the matter is remanded back to the first respondent for fresh consideration on merits and in accordance with law. The first respondent shall pass final orders within a period of eight weeks, from the date of receipt of a copy of this order. Since the impugned order dated 21.12.2021 passed by the second respondent is an order passed by giving reasons, this Court is not disturbing the same in this writ petition. However, this Court is also not expressing any opinion on the merits of the petitioner's contentions despite the fact that the second



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respondent based on the enquiry report has passed the order dated 21.12.2021

imposing the punishment on the petitioner as stated supra.

7.With the aforesaid directions, the writ petition is disposed of. 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.

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