



W.P.(MD).No.20885 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.20885 of 2022

S.Santhanam

...Petitioner

Vs

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Tirunelveli) Limited.,
Tirunelveli.

2. The General Manager,
Tirunelveli Region,
Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
Tirunelveli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the proceedings of the 2nd respondent in respect of the punishment imposed to the petitioner in எண்.12359-டி-ச08-ஒநபி-தநாஅபோக-திலி-2019 dated 28.08.2021 and confirmed by the respondent No.1 in and by his proceedings in No.12359/ச08/தஅபோக/திலி/2019 dated 20.05.2022 and quash the same and consequently directing the Respondents to grant all the consequential monetary and service benefits to the petitioner from the date



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when it was due and to pass such further or other orders as this Honble Court may deem fit.

For Petitioner : Mr.V.Kannan

For Respondents : Mr.D.Jebaraj
Standing Counsel

ORDER

The present Writ Petition has been filed by a Conductor working in the respondent Transport Corporation challenging the order, wherein he has been imposed with the punishment of postponement of increment for a period of two years with cumulative effect.

2. The petitioner herein was issued with a charge memo on 16.09.2019 for being involved in a fatal accident. He submitted an explanation on 23.09.2019 and enquiry report was submitted on 22.09.2020. The second show cause notice was issued on 25.01.2021. The employee has submitted an explanation on 12.02.2021. Not been satisfied with the explanation, the original authority, namely, the second respondent has proceeded to impose a punishment of postponement of increment for a period of two years with cumulative effect.



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3. The petitioner herein had challenged the said order before the first respondent. The first respondent through his proceedings dated 20.05.2022 had rejected the appeal. Challenging these two orders, the present writ petition has been filed.

4. A perusal of the order passed by the appellate authority on 20.05.2022 reveals that the grounds raised by the writ petitioner, have not at all been considered and the order of rejecting the appeal is a non-speaking order. Under the order of the first respondent, the appeal has been rejected as “not-considered” but no reasons whatsoever have been assigned by the first respondent for rejecting the appeal filed by the petitioner.

5. In view of the above said facts, the order passed by the first respondent alone is set aside and the matter is remitted back to him to consider the appeal preferred by the writ petitioner on merits and in accordance with law and pass a reasoned order.

6. In view of the above deliberations, the order dated 20.05.2022 passed by the first respondent is set aside and the first respondent is directed



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to consider the appeal filed by the petitioner and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above said observation, this Writ Petition stands allowed.

There shall be no order as to costs.

01.12.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
ebsi

To

- 1.The Managing Director,
Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
Tirunelveli.
2. The General Manager,
Tirunelveli Region,
Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
Tirunelveli.



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R.VIJAYAKUMAR,J.

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