



W.P(MD)No.21198 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.21198 of 2022

S.Velmurugan.

... Petitioner

Vs

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Madurai) Ltd., Bye Pass Road, Madurai.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Ltd., Dindigul Region,
Bye Pass Road, Dindigul.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to delete the entries wrongly made in the petitioner service register and regularize his annual salary increase within a time frame as may be fixed by this Court.

For Petitioner	: Mr.G.M.Xavier.
For Respondents	: Mr.K.Ramaiah
	Standing Counsel



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ORDER

The petitioner is working as a driver in the respondent Transport Corporation. He was appointed in the year 2009 and was also promoted to the post of Special Grade Driver, after 13 years of his service. The petitioner was not provided with any further upgradation. On verification, the petitioner was informed that he has involved in a fatal accident in the year 2010 and therefore, he is not entitled for any further promotion and an entry has also been made in his Service Register to that effect. Therefore, the petitioner has approached this Court for a Mandamus, directing the respondents to delete the entries wrongly made in the petitioner service register and to regularize his pay.

2.The learned counsel for the petitioner submits that the petitioner has not not involved in any fatal incident and there was no disciplinary proceedings pending as against him. However, in the service register, it has been wrongly mentioned that he has involved



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in a fatal accident and he was imposed with a punishment of stoppage of increment for a period of two years with cumulative effect. Therefore, the petitioner has submitted a representation on 22.03.2012 and 18.12.2012, requesting the respondents to provide the photocopies of proceedings, if any, on the alleged disciplinary proceedings in The.ke.Sa.446, dated 16.03.2010, however, the same was not provided to this petitioner. Therefore, this petitioner has submitted another representation on 11.11.2015. The petitioner has also invoked Right to Information Act on 22.07.2021 and even for that, there was no proper reply from the respondents. Therefore, he seeks a direction to the respondents to delete the wrong entries made by them, without any basis.

3.The learned Standing Counsel appearing for the respondent Transport Corporation seeks a short accommodation to file a counter.



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4. In this writ petition, the Transport Corporation Counsel took notice in the year 2022, however, they have not filed their counter affidavit so far. This writ petition was listed for several hearings in the past three months, Even then, the respondents have not filed their response so far.

5. This Court considered the submissions of the learned counsel for the petitioner.

6. The main grievance of the petitioner is that without any disciplinary proceedings, some entries have been made in his Service Register, as if this petitioner was imposed with a punishment of stoppage of increment for a period of two years with cumulative effect on the allegation that he has involved in a fatal accident. In the event, if there was any disciplinary proceedings as recorded in the Service Register, it is the responsibility of the respondent Corporation to furnish the copies of the same to the petitioner, enabling him to work out his remedy by filing an appeal.



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7.In view of the above, this writ petition is disposed of

with a direction to the respondents to furnish a copy of the disciplinary proceedings, if any, to the petitioner along with the order passed therein, within a period of four months from the date of receipt of a copy of this order. The petitioner can work out his remedy based on the documents, which are to be furnished by the respondents. No costs.

28.01.2025

NCC:Yes/No

Index:Yes

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To

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B.PUGALENDHI, J.

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