



W.P.(MD) No.25454 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2025

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.25454 of 2022

and

W.M.P.(MD) No.19542 of 2022

R.Ramamoorthy

... Petitioner

-vs-

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

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari calling for the records pertaining to the impugned order passed by the respondent in ref.LD2KY/526 dated 19.08.2020, quash the same.

For Petitioner : Mr.G.M.Xavier

For Respondent : Mr.S.C.Herold Singh
Standing Counsel



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ORDER

This writ petition has been filed challenging the impugned order dated 19.08.2020, passed by the respondent, imposing the punishment of “demoting the petitioner to the post of Conductor from the post of Senior Conductor and fixing his basic pay at the basic pay of the post of Conductor”.

2. The petitioner claims that without any evidence and without examining any of the passengers in the bus as a witness in the enquiry proceedings, the Enquiry Officer has arbitrarily and illegally submitted an enquiry report in the disciplinary proceedings by holding him guilty of the charges framed against him in the disciplinary proceedings. The charges framed against the petitioner in the disciplinary proceedings were that he had misappropriated a sum of Rs.40/- by not issuing tickets to the passengers, despite collecting money from them.

3. Aggrieved by the impugned order imposing the aforesaid punishment, the petitioner is having the remedy of filing an appeal before the Managing Director of the respondent – Transport Corporation. Instead of filing an appeal, the petitioner has directly filed this writ petition, though the learned counsel for the petitioner would submit that an appeal was in fact



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filed before the Managing Director of the respondent – Transport Corporation in person and the same has also been acknowledged by the Managing Director and no order has been passed.

4. However, the above contention of the learned counsel for the petitioner is disputed by the learned Standing Counsel appearing for the respondent – Transport Corporation.

5. No prejudice will be caused to the respondent – Transport Corporation if a direction is issued to the petitioner to file an appeal as against the impugned order within a time frame to be fixed by this Court and a direction is issued to the Managing Director of the respondent – Transport Corporation to entertain the appeal and pass final orders on merits and in accordance with law, within a time frame to be fixed by this Court.

6. Learned counsel for the petitioner is also agreeable for the same. Learned Standing Counsel appearing for the respondent – Transport Corporation has also not raised any serious objection for issuing such a direction.



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7. This Court is not expressing any opinion on the merits of the petitioner's case, as it is for the Managing Director of the respondent – Transport Corporation being the appellate authority to decide the same on merits and in accordance with law.

8. Accordingly, this writ petition is disposed of by directing the petitioner to file an appeal aggrieved by the impugned order dated 19.08.2020, passed by the respondent, before the Managing Director of the respondent – Transport Corporation, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said appeal, the Managing Director of the respondent – Transport Corporation shall pass final orders on merits and in accordance with law, within a period of eight weeks thereafter. No costs. Consequently, connected miscellaneous petition is closed.

24.10.2025

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

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ABDUL QUDDHOSE, J.

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