



WP(MD). No.26340 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 15/10/2025

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THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

WP(MD). No.26340 of 2025

and

WMP(MD)No.20483 of 2025

P.P.Perumal

... Petitioner

Vs

1. The Management,
Tamil Nadu State Transport
Corporation(Madurai) Limited.,
Bye Pass Road,
Madurai 625 016.

2. The General Manager,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Madurai Region,
Bye Pass Road,
Madurai 625 016.

... Respondents

PRAYER :-

Writ Petition, filed under Article 226 of the Constitution of India,
praying this court to issue a Writ of Certiorarified Mandamus calling for
the records connected with the impugned order of Recovery of
Rs.45,531/- passed by the 2nd respondent in
Parvai/ONaThu/D1/Shola/3719 dated 06.09.2025 from the monthly



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wages of the petitioner towards the Theft of Ticket Books while on duty on 22.04.2025, quash the same and consequently direct the respondents to drop the Recovery Proceedings in terms of settlement reached before the Transport Minister and Trade Unions on 20.09.1995 and on 06.02.2008 and in the light of the Judgment of this Hon'ble High Court in W.P. (MD) No. 3531 of 2012 dated 06.02.2018, W.P.(MD)No.17037 of 2012 dated 05.09.201d WP(MD)No.23221 of 2019 dated 10.03.2023.

For Petitioner : Mr. Govindan S,
Advocate.

For Respondents : Mr.Ramachandra Pradeep
Standing Counsel (TNSTC)

ORDER

This Writ Petition had been filed to declare the action of respondents from recovering a sum of Rs.45,531/- or any other amount from the petitioner's salary for the loss of unused ticket bundles and leaves to the face value of Rs.45,531/- while he was in duty on 22.04.2025, as illegal and consequently direct the respondents to refund him the amount already recovered from his salary towards loss of unused ticket bundles and leaves.



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2. The learned counsel appearing for the petitioner would submit that the petitioner joined the services of the first respondent Corporation as a conductor as early as in the year 2009. When that being so, on 22.04.2025 in the bus bearing No.TN 57 N 1776- 28 B Express in Nachikulam Anna Nilayam Route, Ticket Books valued Rs.45,531/- which was issued to the petitioner to be given to Passengers was stolen which was kept near the Driver Seat of the Bus. A police complaint was also given before the Sholavandan Police Station. A Charge Memo was issued on 20.05.2025 in respect of the same to which the petitioner had also submitted his explanation on 21.06.2025. Even after that, the respondent had issued a Show cause notice on 12.08.2025 proposing to recover Rs.45,531/- in 10 equal installments for loss of ticket Books. The petitioner has submitted detailed explanation on 05.09.2025. While that being so, without considering the same, the second respondent has issued the impugned order of recovery dated 06.09.2025 for theft of Ticket Books valued Rs.45,531/- in 10 equal installments recoverable from the wages payable to the petitioner in subsequent months. The petitioner has also filed an appeal before the first respondent on 13.09.2025 for dropping the recovery proceedings in terms of the 12(3)



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Settlement and judgment of this Court. He would submit that such an order to recover salary without any specific order of recovery after issuing a show cause notice is wholly illegal and is contrary to the principles of violation of natural justice. He would further submit that when a charge memo had been issued without conducting any enquiry, the authority cannot effect recovery from the salary of the petitioner. He would further rely upon Section 12(3) settlement under the Industrial Disputes Act, dated 28.09.1995, particularly Clause 29 of the said settlement, where it has been agreed that recovery should not be initiated against the conductor for the loss of ticket books, if the same was lost due to riot, accident, theft, etc., and in that context he would submit that the petitioner also lodged a police complaint and the investigation is under way. Therefore, such a order of recovery is wholly bad and hence, seeks a declaration that such recovery from his salary is illegal and consequently, direct the respondents to refund the amount already recovered from his salary.

3. Countering his arguments, Mr.Ramachandra Pradeep, learned Standing counsel appearing for the respondent Corporation would submit



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that the petitioner has been negligent in his duty. It is his duty to safeguard the tickets or otherwise, they would be liable to make good the loss that had been caused to the Corporation on the face value of the unsold tickets. Hence, the respondents have decided to deduct the amounts from the salary of the respective individuals and from the petitioner a sum of Rs.45,531/- in 10 equal installments is being deducted monthly. Therefore, there is no infirmity in the recovery that has been made against the petitioner.

4. I have considered the submissions made by the learned counsels appearing on either side and perused the materials available on record.

5. It is the claim that the tickets with the face value of Rs.45,531/- had gone missing for which departmental proceedings have also been initiated against the petitioner by issuance of a charge memo on 20.05.2025. The petitioner had also submitted his explanation to the same. A show cause notice was also issued to the petitioner and an explanation was also given by the petitioner.



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in violation of principles of natural justice. Consequently, connected Miscellaneous Petition is also closed. However, there shall be no order as to costs.

15.10.2025

NCC : yes / no
Index : yes / no
Internet : yes / no

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K.KUMARESH BABU, J.

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