



W.P.(MD).No. 31712 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.11.2025

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD)No. 31712 of 2025

S.Kalyanasundram

... Petitioner

Vs

1. The Tamil Nadu State Transport Corporation
(Madurai) Limited,
Represented by its Managing Director,
Madurai - 625 016.

2. The Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
Represented by its Managing Director,
Tirunelveli.

3. The General Manager,
The Tamil Nadu State Transport Corporation
(Madurai) Limited,
Virudhunagar Region,
Virudhunagar.

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

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Declaration, declaring the



W.P.(MD).No. 31712 of 2025

action of the respondents in recovering a sum of Rs.36,000/- from the petitioner's terminal benefits towards monetary value equivalent to non-implemented punishment of stoppage of his annual increment as illegal and consequently, direct the respondents to refund Rs.36,000/- to him along with interest at the rate of 6 percent per annum from the date of his retirement i.e. on 31.05.2023 to till the date of disbursement.

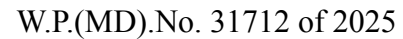
For Petitioner : Mr. A.Rahul

For Respondents : Mr.RAmachandra Pradeep (R1 & R3)
Mr.D.Jebaraj
Standing Counsel (R2 & R4)

ORDER

This Writ Petition has been filed to declare the action of the respondents in recovering a sum of Rs.36,000/- from the petitioner's terminal benefits towards monetary value equivalent to the un-imposed punishment of stoppage of his annual increment as illegal and consequently, direct the respondents to refund Rs.36,000/- to him along with interest at the rate of 6% p.a. from the date of his retirement i.e. on 31.05.2023 to till the date of disbursement.

2. The learned counsel for the petitioner would submit that the petitioner had joined as a Conductor in the respondents Corporation and



3. The learned Standing Counsel for the respondents, on the other
would submit that the petitioner, having been involved in



W.P.(MD).No. 31712 of 2025

delinquency, had been imposed the punishment of stoppage of increment with cumulative effect. Referring to the 13th Wage Settlement, dated 04.01.2018, he would submit that there is a provision for recovery of money equivalent to the un-imposed punishment of stoppage of increment. Therefore, he would submit that the petitioner cannot claim that there is no authority for the management to recover the amounts which equal to the un-imposed punishment.

4. I have carefully considered the submissions made by the learned counsel appearing on either side and perused the material available on record.

5. This Court has already dealt with the same issue in W.P.(MD) No.24486 of 2025 and by its order dated 07.10.2025 had held that the management cannot withhold the amounts for un-imposed punishments. For better appreciation, the relevant paragraph is extracted herein:

“6. The Division Bench of this Court in W.A. (MD).No.1270 of 2020 dated 15.06.2021 had also considered the 13th wage settlement clause relied upon by the respondent and thereafter had held that such power should have been incorporated in the certified standing



W.P.(MD).No. 31712 of 2025

orders only then such recovery could be made. Admittedly, there is no certified standing orders with regard to the same. Hence, this Court following the judgement of the Hon'ble Division Bench as stated supra, finds no impediment in ordering the writ petition as prayed for. This Court is not inclined to grant interest at the rate of 18% as prayed for. However, the respondents are directed to refund the sum of Rs.1,23,900/- along with interest at the rate of 6% per annum within a period of twelve weeks from the date of receipt of a copy of this order.”

6. In view of the same, this Writ Petition is allowed. Respondents are directed to refund a sum of Rs.36,000/- along with interest at the rate of 6% p.a from the date of the petitioner's superannuation till the date of disbursement and such disbursement shall be made by the respondents within a period of twelve (12) weeks from the date of receipt of a copy of this order. No costs.

07.11.2025

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



W.P.(MD).No. 31712 of 2025

To:

1. The Tamil Nadu State Transport Corporation
(Madurai) Limited,
Represented by its Managing Director,
Madurai - 625 016.
2. The Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
Represented by its Managing Director,
Tirunelveli.
3. The General Manager,
The Tamil Nadu State Transport Corporation
(Madurai) Limited,
Virudhunagar Region,
Virudhunagar.
4. The General Manager,
The Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
Tirunelveli Region,
Tirunelveli.



WEB COPY



W.P.(MD).No. 31712 of 2025

K.KUMARESH BABU, J.

apd

W.P.(MD).No. 31712 of 2025

07.11.2025