



W.P.(MD).No.33451 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2025

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD)No.33451 of 2025

Sathish Kumar

...Petitioner

Vs

1.The Managing Director,
Tamilnadu State Transport Corporation,
(Kumbakonam Limited),
Kumbakonam.

2.The General Manager,
Tamilnadu State Transport Corporation
(Kumbakonam Limited), Karur Region,
Karur-639003.

3.The Branch Manager,
Tamilnadu State Transport Corporation.,
(Kumbakonam Limited),
Karur Region,
Musiri Branch,
Trichy-621211.

... 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 consider the petitioner's representation dated 18.09.2025 within a time frame fixed by this court.



W.P.(MD).No.33451 of 2025

For Petitioner : Mr.D.Anbarasu

For Respondents : Mr.K.Ramaiah
Standing Counsel

ORDER

This writ petition has been filed for a writ of Mandamus to direct the respondents to consider the petitioner's representation dated 18.09.2025 within a time frame fixed by this court.

2. The punishment imposed against the petitioner is the reduction of his pay scale by one stage. The petitioner was already imposed with a similar punishment and this Court in a batch of writ petitions in W.P(MD)No.23111 of 2023 etc. by order dated 15.03.2024 held that the respondents cannot impose a punishment which is not prescribed under the Standing Orders governing the service conditions of workmen. The review petition filed against the same was rejected. Against which, the appeal has been preferred by the respondent. The Division Bench of this Court holding that even though the learned Single Judge had not found fault with the procedure of the enquiry, set aside the order of the learned Single Judge and also the punishment imposed against the workmen and



W.P.(MD).No.33451 of 2025

remit the case back to the respondents. Even after such remittal, the respondents have again imposed a punishment, which is not provided under the Standing Orders governing the service conditions of workmen.

3. The learned Standing Counsel for the respondents submits that the Division Bench of this Court had held that as against the order of punishment, the workmen have to seek redress only under the provisions of the Industrial Dispute Act, 1947. Therefore, he submits that the writ petition is not maintainable.

4. It is to be noted that when a punishment is imposed which is not prescribed under the Standing Orders governing the conditions of the service of workmen, such an order is *non est* order, arbitrary and in colourable exercise of power. This Court is therefore of the view that such an order can be interfered with by exercising the powers of judicial review.

5. Accordingly, the impugned order is set aside and the case is remitted back to the respondents to impose punishment strictly in accordance with the Certified Standing Orders governing the conditions



W.P.(MD).No.33451 of 2025

of service of the workmen. Such exercise shall be completed by the respondents within a period of 12 weeks from the date of receipt of a copy of this order.

6. The writ petition stands disposed of. There shall be no order as to costs.

24.11.2025

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

To:

- 1.The Managing Director,
Tamilnadu State Transport Corporation,
(Kumbakonam Limited),
Kumbakonam.
- 2.The General Manager,
Tamilnadu State Transport Corporation
(Kumbakonam Limited), Karur Region,
Karur-639003.
- 3.The Branch Manager,
Tamilnadu State Transport Corporation.,
(Kumbakonam Limited),
Karur Region,
Musiri Branch,
Trichy-621211.



WEB COPY



W.P.(MD).No.33451 of 2025

K.KUMARESH BABU, J.

Sn

W.P.(MD).No.33451 of 2025

24.11.2025