



WEB COPY

WP No. 3142 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-02-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

**WP No. 3142 of 2026
and WMP.No.3534 of 2026**

Hari Rajan
S/o.Muthu,
No.38, Samathuvapuram,
Pududurai,
Karaikkal, Puducherry-609 602.

..Petitioner(s)

Vs

1. The Chairman PRTC/ Secretary (Transport)
Puducherry Road Transport corporation Ltd.,
Puducherry-605 001.
2. The Managing Director
Puducherry Road Transport Corporation Ltd,
Raja Nagar, Puducherry- 605 013.
3. The General Manager (Administration)
Puducherry Road Transport Corporation Ltd.,
Raja Nagar, Puducherry- 605 013.

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of a Writ of Certiorarified Mandamus, calling for the records on the file of the 3rd Respondent in the impugned order in No.83/ PRTC/ Tr/ 2022/ 898 dated 30.12.2024 and quash the same and consequently, direct the respondents to provide the increment to the petitioner and also the salary for the suspension period.

For Petitioner(s):

For Respondent(s):

Mr.S. Lakshmi Narayanan

Mr.R.Sreedhar

Additional Government Pleader
Puducherry



ORDER

The challenge in this Writ Petition is to the order of the third respondent dated 30.12.2024 and to quash the same and consequently, direct the respondents to restore the increment of the petitioner and to pay salary including subsistence allowance for the suspension period.

2. The case of the petitioner is that he was appointed as a Conductor on a daily-rated basis in the respondent-Corporation on 08.02.2006 and his services were regularized vide order dated 02.11.2010. While so, on various occasions, disciplinary proceedings were initiated against hi. It is alleged that on 23.09.2012, while he was on duty in Route Bus No.607-B bearing Registration No.PY-01-AC-6859 plying from Karaikal to Chidambaram, he had taken diesel from the bus and that a complaint was made by the general public. The petitioner denied the allegation and stated that no such incident had occurred. He was placed under suspension from 13.10.2012 to 10.11.2012 and thereafter the suspension was revoked.

3. It is further alleged that on 05.06.2013, while he was on duty in Route Bus No.602-B bearing Registration No.PY-01-BF-5022 plying from Coimbatore to Karaikal, two passengers were found without tickets. According to the petitioner, tickets were issued but one passenger had misplaced the same.



Despite his explanation, he was suspended from 06.06.2013 to 08.07.2013 and thereafter reinstated.

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5. Again, on 29.03.2014, while he was on duty in Route Bus No.607-A bearing Registration No.PY-01-BV-6720 plying from Karikal to Chidambaram, it was alleged that one minor child was not issued a ticket and six passengers were issued tickets of lesser denomination. The petitioner submitted that the minor child was below the age requiring a ticket and that no wrong tickets were issued. However, he was suspended from 29.04.2014 to 28.05.2014 and subsequently reinstated.

6. Further, on 30.05.2022, while he was on duty in Route Bus No.602-B bearing Registration No.PY-01-AF-5022 plying from Karaikal to Coimbatore, four bags of liquor were found in the bus. The petitioner denied any knowledge of the same and stated that he was not connected with the said bags. He was suspended from 01.06.2022 to 28.12.2022 and thereafter reinstated. Subsequently, based on the enquiry report submitted by the Enquiry Officer, the third respondent passed the impugned order dated 30.12.2024 confirming the charges and imposed the penalty of stoppage of increment for one year with cumulative effect and further ordered that no salary shall be paid for the suspension period. Challenging the same, the present Writ petition has been filed.



7. Learned counsel for the petitioner submitted that the enquiry was not conducted in accordance with law and that no proper opportunity was afforded to the petitioner. It is submitted that none of the passengers of the Checking Inspectors were examined during the enquiry and that the enquiry report was not furnished to the petitioner. It is further contended that the disciplinary proceedings relate to incidents of the years 2012, 2013, 2014 and 2022 and that there is an inordinate delay of more than 13 years in concluding the proceedings, which is contrary to the Government I.D. Note dated 28.05.2004 prescribing completion of disciplinary proceedings within 180 days. It is also submitted that similarly placed employees were imposed with lesser punishment and therefore the impugned order is liable to be set aside.

8. Learned Additional Government Pleader, Puducherry submitted that the order was passed based on the enquiry report and in accordance with Rules. However, he fairly submitted that if this Court sets aside the impugned order, the respondents would conduct a fresh enquiry after affording due opportunity to the petitioner and pass appropriate orders in accordance with law.

9. Considering the submissions made by the learned counsel on either side, this Court is inclined to set aside the order passed by the third respondent dated 30.12.2024.



10. Accordingly, the order impugned herein is set aside and the matter is remanded back to the Authority concerned. The Authority shall issue Show Cause Notice to the petitioner and thereafter shall conduct full fledged enquiry and shall pass appropriate orders as per the standing orders of the Respondent Corporation.

11. With the above directions, this Writ Petition stands disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

03-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

ANU

To

1. THE CHAIRMAN PRTC/ Secretary
(Transport)
Puducherry Road Transport corporation Ltd.,
Puducherry-605 001.
2. The Managing Director
Puducherry Road Transport Corporation Ltd,
Raja Nagar,Puducherry- 605 013.
3. The General Manager (Administration)
Puducherry Road Transport Corporation Ltd.,
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M.DHANDAPANI, J.

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