

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-06-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

WA No. 635 of 2023

and

CMP No. 6261 of 2023

The Managing Director
Tamil Nadu State Express Transport
Corporation Ltd., No.2, Pallavan Salai,
Chennai 2.

..Appellant(s)

Vs

K. Sivalingam
No.50 J, Malaivasal, Ulmandaapam,
Trichy 620 002.

..Respondent(s)

WA No. 635 of 2023

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order dated 21.01.2021 passed by this Honble High Court, in WP No.20939/2009 and consequently dismiss the WP No.20939/2009

WA No. 635 of 2023

For Appellant(s): Mr.C.H.Mahith Sai
for Mr.K.Kathiresan

For Respondent(s): No appearance

Judgment

(Judgment of the Court was delivered by S.M.Subramaniam J.)

Under assail is the writ order dated 21.01.2021 passed in W.P.No.20939/2009. Tamilnadu State Express Transport Corporation is the appellant before this Court.

2. The respondent filed a writ petition seeking a direction to the appellant to give promotion to the post of Checking Inspector to the respondent on par with his juniors.

3. The respondent was appointed as a conductor on 12.10.1978 and his service was regularised in the sanctioned post with effect from 01.09.1980. He attained the age of superannuation and allowed to retire from service on 31.01.2011. As per common service rules and government letter dated 16.08.2001, promotion to the post of Checking Inspector was considered from the selection grade conductors who have obtained 24 years of review.

4. In the present case, one Mr.H.Jabber and Thiru.V.Mani had obtained 24 years of review on 01.05.2003 and 01.11.2003 respectively. Thus, they were considered for promotion to the post of Checking Inspector during 04.10.2007 and 01.04.2008 respectively.

5. In view of the fact that the respondent suffered three punishments, he is not eligible for promotion during the currency of punishments. Thus, his case was not considered for promotion. The respondent retired on 31.01.2011. It appears that the case of the respondent was not considered initially since two of his seniors was initially considered in the year 2003 and subsequently, his case was not considered on account of currency of three punishments. This being the factual position, this Court does not find any infirmity in respect of the decision taken by the appellant for not granting promotion to the post of Checking Inspector to the respondent.

6. For all these reasons, the impugned writ order dated 21.01.2021 in W.P.No.20939 of 2009 is set aside and the Writ Appeal stands allowed. Consequently, connected miscellaneous petition is closed.

(S.M.S.,J.) (N.S.,J.)
03-06-2026

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

VSI

To
Mr.K. Sivalingam
No.50 J, Malaivasal, Ulmandaapam,
Trichy 620 002.

**S.M.SUBRAMANIAM J.
and
N.SENTHILKUMAR J.**

vsi

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