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W.P. No.8997 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2026

CORAM:

THE HON'BLE MR. JUSTICE **M. DHANDAPANI**

W.P. No.8997 of 2024 and
WMP.No.10022 of 2024

P.Rathinavel

... Petitioner

Vs

1.THE CHAIRMAN (BOARD OF DIRECTORS),
ALL TAMIL NADU STATE TRANSPORT CORPORATION, CHIEF
SECRETARIAT, ST. GEORGE FORT, CHENNAI-600 009.

2.THE DIRECTOR (BOARD OF DIRECTORS),
ALL TAMIL NADU STATE TRANSPORT CORPORATION, ADDITIONAL
CHIEF SECRETARY, CHAIRMAN OF STUS. TRANSPORT DEPARTMENT,
SECRETARIAT, CHENNAI- 600 009.

3.THE DIRECTOR (BOARD OF DIRECTORS),
ALL TAMIL NADU STATE TRANSPORT CORPORATION, SPECIAL
SECRETARY TO GOVERNMENT, TRANSPORT DEPARTMENT,
KAVIGNAR MALIGAI, ST. GEORGE FORT, CHENNAI- 600 009.

4.THE DIRECTOR (BOARD OF DIRECTORS),
ALL TAMIL NADU STATE TRANSPORT CORPORATION, DEPUTY
SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT,
SECRETARIAT, ST. GEORGE FORT, CHENNAI- 600 009.

5.THE DIRECTOR (BOARD OF DIRECTORS),
ALL TAMIL NADU STATE TRANSPORT CORPORATION, PALLAVAN
TRANSPORT CONSULTANCY SERVICES LTD, PALLAVAN ILLAM,
PALLAVAN SALAI, CHENNAI- 600 002.

6.THE MANAGING DIRECTOR (BOARD OF DIRECTORS),
TAMIL NADU STATE TRANSPORT CORPORATION, COIMBATORE LTD.



W.P. No.8997 of 2024

NO.37 METTUPALAYAM ROAD, COIMBATORE- 641 043.

7.THE MANAGING DIRECTOR (BOARD OF DIRECTORS),
TAMIL NADU STATE TRANSPORT CORPORATION, MADURAI LTD,
BYPASS ROAD, MADURAI- 625 016.

8.THE MANAGING DIRECTOR (BOARD OF DIRECTORS),
TAMIL NADU STATE TRANSPORT CORPORATION, TIRUNELVELI LTD,
NO.19, THIRUVANANDHAPURAM ROAD, TIRUNELVELI- 627 001.

9.THE MANAGING DIRECTOR (BOARD OF DIRECTORS),
TAMIL NADU STATE TRANSPORT CORPORATION, KUMBAKONAM
LTD, 27, RAILWAY STATION NEW ROAD, KUMBAKONAM- 612 001.

10.THE MANAGING DIRECTOR (BOARD OF DIRECTORS),
STATE EXPRESS TRANSPORT CORPORATION, (TAMIL NADU
DIVISIONS I AND II) LTD, THIRUVALLUVAR HOUSE, PALLAVAN
SALAI, CHENNAI- 600 002.

11.THE MANAGING DIRECTOR (BOARD OF DIRECTORS),
METROPOLITAN TRANSPORT CORPORATION CHENNAI LTD,
PALLAVAN HOUSE, ANNA SALAI, CHENNAI- 600 002.

12.THE MANAGING DIRECTOR (BOARD OF DIRECTORS),
TAMIL NADU STATE TRANSPORT CORPORATION, SALEM LTD,
12 RAMAKRISHNA ROAD, SALEM- 636 007.

13.THE JOINT MANAGING DIRECTOR (BOARD OF DIRECTORS),
TAMIL NADU TRANSPORT DEVELOPMENT FINANCE CORPORATION
(TDFC), TAMIL NADU TOURISM COMPLEX, NO.2, WALLAJAH ROAD,
CHENNAI-600 002.

14.THE DIRECTOR (BOARD OF DIRECTORS),
ALL TAMIL NADU STATE TRANSPORT CORPORATION, COIMBATORE
LTD, THE COMMISSIONER, COIMBATORE CORPORATION, NO.37,
METTUPALAYAM ROAD, COIMBATORE- 641 043.

15.THE GENERAL MANAGER,
HEAD OFFICE, TAMIL NADU STATE TRANSPORT CORPORATION,
SALEM LTD, NO.12, RAMAKRISHNA ROAD, SALEM- 636 007.



W.P. No.8997 of 2024

16. THE BRANCH MANAGER,
METTUR BRANCH, TAMIL NADU STATE TRANSPORT CORPORATION,
SALEM LTD. SALEM ZONE, METTUR- 636 401. ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorari Mandamus to call for the records relating to the order in Kurripanai en.317- 15233- t6 tha a poka- 2010 dated 20.04.2013 passed by the 15th respondent postponed the increment for 3 years with cumulative effect and order in Ku.en. AA221- 317- 15234- t6- tha a poka - 2012 dated 6.12.2013 passed by the 12th respondent reduced the postponed the increment for 2 years from 3 years with cumulative effect and quash the same consequently direct the respondents to restore the increments retrospectively with arrears and to refix the salary along with other monetary benefits

For petitioner : Mr.R.Jaikumar
for Mr.T.Fenn Walter Associates

For Respondents
For R8 & 9 : Mr.C.Senapathi

For R12,15,16: Mr.K.Raja

For R6,7,14 : Mr.C.Gauthamaraj

For R5,10, 11 : Mr.A.Vinothraj

For R13 : No appearance

For R1 to 4 : Mr.P.Balathandayutham,
Special Government Pleader

ORDER

This Writ Petition has been filed to quash the order in Kurripanai



en.317- 15233- t6 tha a poka- 2010 dated 20.04.2013 passed by the 15th respondent postponed the increment for 3 years with cumulative effect and order in Ku.en. AA221- 317- 15234- t6- tha a poka - 2012 dated 6.12.2013 passed by the 12th respondent reduced the postponed the increment for 2 years from 3 years with cumulative effect and consequently to direct the respondents to restore the increments retrospectively with arrears and to refix the salary along with other monetary benefits.

2. The learned counsel appearing for the petitioner would submit that the petitioner entered into service as Conductor in the respondent Corporation. In the year 2012, the 15th respondent issued charge sheet alleging that on 05.06.2012 when the petitioner was doing duty in the bus bearing registration No.TN30 N 1009 flying between Salem to Villupuram as if the petitioner did not collect fair for unmanned luggage at boarding place and had collected lesser fare of Rs.13/- from Chinnasalem to Villupuram. However, after completion of enquiry, the petitioner was imposed punishment of postponement of increment for three years with cumulative effect. Challenging the said order dated 20.04.2013, the petitioner preferred appeal before the Managing Director, thereby modified the punishment of postponement of increment for three years to two years with cumulative effect vide order dated 06.12.2013. Challenging



W.P. No.8997 of 2024

the same, the present writ petition has been filed.

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3. The learned counsel appearing for the petitioner would submit that before the original authority, no proof was established with regard to non collection of fair for unmanned luggage and without any proof, the original authority namely the 15th respondent imposed punishment of postponement of increment for three years with cumulative effect and the said punishment was modified by the appellate authority. However, the punishment of postponement of increment for two years with cumulative effect, is highly disproportionate. Accordingly, he prayed for appropriate orders.

4. Per contra, the learned Special Government Pleader appearing for respondents 1 to 4 submitted that though the original authority imposed punishment of postponement of increment for three years, the same was modified by the appellate authority. Once the appellate authority exercised discretion and modified the punishment, the same cannot be interfered under Article 226 of Constitution of India.

5. Further, this Court is of the view that punishment was imposed in the year 2013, however, this writ petition has been filed in the year 2024, which



W.P. No.8997 of 2024

suffers from delay and laches. Therefore, this court is not inclined to entertain this Writ petition. Accordingly, this writ petition is dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

06.02.2026

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

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SECRETARIAT, ST. GEORGE FORT, CHENNAI-600 009.
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W.P. No.8997 of 2024

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W.P. No.8997 of 2024

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W.P.No.8997 of 2024

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