



WP.(MD)No.207 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.01.2026

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

WP.(MD)No.207 of 2026

and

WMP.(MD)Nos.195, 196 and 197 of 2026

M.Magesh Babu

... Petitioner

Vs.

1.The Transport Commissioner,
Guindy, Chennai-600 032.

2.The Regional Transport Officer,
Regional Transport Office,
Madurai (North),
Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for records on the file of the 1st respondent in connection with the impugned deferred list issued by the 1st respondent in Proc. R. No. 29268/RA2/2025(E.O.No.867/2025) dated 17.10.2025 and quash the same in so far as the petitioner is concerned and consequently direct the 1st respondent to promote



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the petitioner to the post of Superintendent for the year 2025-2026 on par with his batchmates by placing him in the appropriate place that is immediately below to his immediate senior Mrs. G. Kalaivani and thereby by grant all service and monetary benefits within the time limit that may be stipulated by this Court.

For Petitioner : Mr.K.Jeyamohan

For Respondents : Mr.C.Venkatesh Kumar,
Special Government Pleader.

ORDER

The petitioner is working as a Assistant in the second respondent/Regional Transport Office. He is eligible to be promoted as Superintendent for the panel of the year 2022-2023. However, there was no vacancy at the relevant point of time. A panel for the post of Superintendent was prepared in the month of March, 2025. However, a charge has been levelled as against the petitioner under Rule 17(a) of the Tamil Nadu Civil Services (Discipline and Appeal)Rules, on 07.05.2024 and he was imposed



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with the punishment of censure vide proceedings dated 28.05.2024. By referring to the order of censure, the petitioner's name has not been added in the promotion list prepared in the month of March 2025. Therefore, the petitioner is before this Court.

2.The learned counsel appearing for the petitioner, by referring to the Clause 14 of Schedule XI (II) of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016, submits that the punishment of censure passed within a period of one year preceding the crucial date shall not be held against a member of service and therefore, the order of deferment passed as against the petitioner, in view of the order of punishment of censure imposed on the petitioner dated 28.05.2024, is not proper.

3.This Court has considered the submissions made on either side and perused the available materials on record.



4.The petitioner has been charged under Rule 17(a) of the Tamil Nadu Civil Services (Discipline and Appeal)Rules and he was also imposed with the punishment of censure, by the order dated 28.05.2024. The crucial date for the panel of Superintendent is 15.03.2025. The petitioner is entitled for the benefit as per the Clause 14 of Schedule XI (II) of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016, which is extracted hereunder:-

The punishment of 'Censure' imposed on a member of service within a period of one year preceding the crucial date shall not be held against a member of service, if the delinquency in respect of which such punishment is imposed had occurred prior to five years preceding the crucial date. In such cases the name of the member of service shall be considered for inclusion in the approved list.

5.In view of the above provision, this writ petition is allowed and the order of deferment passed as against the petitioner dated 17.10.2025 is hereby set aside with a direction to the respondents



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to consider the case of the petitioner in the light of the provision under Clause 14 of Schedule XI (II) of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016, within a period of four weeks from the date of receipt of a copy of this order. Accordingly, this writ petition is allowed. No costs. Consequently, connected miscellaneous petitions are closed.

07.01.2026

NCC : Yes/No
Index : Yes/No
Internet:Yes
gns

To

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Guindy, Chennai-600 032.

2.The Regional Transport Officer,
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