



W.P.(MD) No.10512 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.04.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.10512 of 2026

V.Sekar Rao

... Petitioner

-VS-

1.The Managing Director
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Kumbakonam
Thanjavur District

2.The General Manager
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Trichy Region
Periyamilaguparai
Tiruchirappalli District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of declaration declaring the action of respondent Transport Corporation, which had recovered a sum of Rs.26,454/- towards non-implementable punishment imposed on the petitioner as illegal, arbitrary and violative of



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Article 14 of the Constitution of India and consequently direct the respondents herein to refund the petitioner the recovery amount of Rs.26,454/- along with 6% per annum within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.N.Sudhagar Nagaraj

For Respondents : Mr.S.C.Herold Singh
Standing Counsel

ORDER

Mr.S.C.Herold Singh, learned Standing Counsel, takes notice for the respondent – Transport Corporation.

2. With the consent of both sides, this writ petition is disposed of at the admission stage.

3. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondent – Transport Corporation.

4. This writ petition has been filed seeking a writ of declaration declaring the action of respondent – Transport Corporation, who had



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recovered a sum of Rs.26,454/- towards non-implementable punishment imposed on the petitioner, as illegal, arbitrary and violative of Article 14 of the Constitution of India and consequently direct the respondent – Transport Corporation to refund the recovered amount of Rs.26,454/- along with 6% per annum to the petitioner, within a stipulated time that may be fixed by this Court.

5. Learned counsel for the petitioner submitted that the issue that arises for consideration in this writ petition is squarely covered by the Judgment passed by the learned Division Bench of this Court vide W.A.(MD) No.1270 of 2020, dated 15.06.2021, wherein it was held that the respondent – Transport Corporation is not entitled to recover any amount towards unimplemented orders of punishment of postponement of increment and any such attempt on the part of the respondent – Transport Corporation was held to be without jurisdiction.

6. Learned Standing Counsel appearing for the respondent – Transport Corporation does not dispute that the issue that arises for consideration in this writ petition is squarely covered by the Judgment passed by the learned Division Bench of this Court vide W.A.(MD) No.1270 of 2020,



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dated 15.06.2021, however objects to follow the said Judgment on the ground that the petitioner has retired from service as early as on 31.05.2015 and the cause of action relates back to the said date. As such, the present writ petition is hit by delay in laches and therefore, this writ petition cannot be entertained on the said ground.

7. This Court has carefully considered the objection raised by the learned Standing Counsel appearing for the respondent – Transport Corporation. However, this Court is unable to agree with the said objection for the reason that the petitioner herein is a workman, who worked under the respondent – Transport Corporation and retired from service. Perhaps not being fully aware of his legal entitlement, the petitioner has kept quiet and as soon as he came to know about his legal entitlement, he has approached this Court filing the present writ petition. Further, it is an admitted legal position that the respondent – Transport Corporation is not entitled to recover any amounts towards the unimplemented portion of punishment in terms of the law laid down by this Court. In the circumstances, in order to follow the rule of law, this Court is inclined to entertain this writ petition notwithstanding the objection raised by the learned Standing Counsel appearing for the respondent – Transport Corporation on the ground of delay and laches.



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8. In the light of the above, recovery of Rs.26,454/- from the petitioner towards unimplemented punishment is found to be declared as illegal, arbitrary and contrary to law. Consequently, the respondent – Transport Corporation is directed to refund the amount of Rs.26,454/- to the petitioner together with 6% per annum, within a period of four weeks from the date of receipt of a copy of this order.

9. With the above direction, this writ petition is allowed. No costs.

15.04.2026

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

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