



W.P.(MD) No.16370 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.16370 of 2026

A.Murugaiyan

... Petitioner

-VS-

The Management of
Tamilnadu State Transport
Corporation (Kumbakonam) Ltd.,
rep.by its Managing Director
Kumbakonam

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondent to refund the amount Rs.19,125/- recovered from the petitioner in the name of non-implemented increment cut, together with 12% interest per annum.

For Petitioner : Mr.S.Arunachalam

For Respondent : Mr.P.F.Ferlin Castro
Standing Counsel

ORDER

Mr.P.F.Ferlin Castro, learned Standing Counsel, takes notice for the respondent – Transport Corporation.



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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 for a writ of mandamus directing the respondent – Transport Corporation to refund the amount Rs.19,125/- recovered from the petitioner from the terminal benefits payable to him towards non-implemented increment cut, together with 12% interest per annum.

5. The petitioner herein, who worked as a Canteen Assistant with Staff No.86CW101 in the respondent – Transport Corporation with effect from 22.01.1986, retired from service on 30.06.2016 on attaining the age of superannuation. It was, at that stage, the respondent – Transport Corporation recovered a sum Rs.19,125/- from the terminal benefits due and payable to the petitioner, on the ground that there was a non-implemented punishment of increment cut and in order to give effect to the said punishment, the said amount was deducted.



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6. The issue as to whether the respondent – Transport Corporation has got any power or authority to recover the amounts on the ground of unimplemented punishment has fallen for consideration before the learned Division Bench of this Court in W.A.(MD) No.1270 of 2020 and the learned Division Bench of this Court *vide* Judgment dated 15.06.2021, 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. This Court also followed the said decision of the learned Division Bench in number of matters.

7. However, learned Standing Counsel appearing for the respondent – Transport Corporation strenuously contended that the petitioner has already retired from service in the year 2016 and approached this Court only after a lapse of a decade and therefore, this writ petition is liable to be dismissed on the ground of delay and laches.

8. This Court has carefully considered the submissions on either side and carefully considered the objection raised by the learned Standing Counsel.



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9. It is not in dispute that the legal position with regard to the claim made by the petitioner herein is very much settled by virtue of the Judgment passed by the learned Division Bench. In the light of the settled legal position, the action of the respondent – Transport Corporation in recovering the amount of Rs.19,125/- is illegal and arbitrary. The petitioner being a last grade servant, who worked in the respondent – Corporation, after having come to know about the decision of this Court with regard to his claim, has approached this Court seeking the relief as noted herein above.

10. The petitioner being a last grade servant, namely, Canteen Assistant, is not expected to know about his rights and entitlements. Therefore, the claim of the petitioner cannot be denied solely on the ground of delay and laches. However, the respondent – Transport Corporation can be made liable to pay interest because of the delay on the part of the petitioner in approaching this Court.

11. Admittedly, a sum of Rs.19,125/- has been deducted from the retirement benefits payable to the petitioner and the same is being enjoyed by the respondent – Transport Corporation for all these years. Because of the delay on the part of the petitioner in approaching this Court, he can be denied



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interest on the said amount. In the circumstances, this Court is not inclined to non-suit the petitioner on the ground of delay and laches.

12. Accordingly, this writ petition is allowed directing the respondent – Transport Corporation to repay the sum of Rs.19,125/-, which was recovered from the petitioner towards unimplemented punishment of increment cut from his terminal benefits, as expeditiously as possible, at any rate, within a period of eight weeks from the date of receipt of a copy of this order. However, it is made clear that the petitioner is not entitled to make any claim for payment of interest on the said amount. No costs.

16.06.2026

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

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