



W.P(MD)Nos.22527 and 22528 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)Nos.22527 and 22528 of 2023

and

WMP (MD) No.18763 of 2023

Arasu Pokkuvarathu Madurai Thozhilalar Sangam
Rep. by its General Secretary
A.Kanagasundar

... Petitioner(s)
(in both WPs)

vs.

1. The Tamil Nadu State Transport Corporation (Madurai) Limited,
Represented by its Managing Director
By Pass Road, Madurai 625 016.

2. The General Manager,
The Tamil Nadu State Transport
Corporation (Madurai) Limited,
Madurai Region,
Madurai 625 016.

3. The Deputy Manager (Commercial),
The Tamil Nadu State Transport
Corporation (Madurai) Limited,
Madurai Region,
Madurai 625 016.



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4. The Deputy Manager (West),
The Tamil Nadu State Transport
Corporation (Madurai) Limited,
Madurai Region,
Madurai 625 016.

5. The Branch Manager,
Mofussil Branch,
The Tamil Nadu State
Transport Corporation (Madurai) Limited,
By Pass Road,
Madurai 625 016.

6. The Assistant Commissioner of Labour(Enforcement),
Madurai.

... Respondent(s)
(in both WPs)

COMMON PRAYER : Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Mandamus directing the 6th respondent to take action against the respondents 1 to 5 and officials who are responsible for violation of the provisions of the Motor Transport Workers Act 1961 particularly section 13, 15, 18, 26 of the Act and Rule 26 and 27 of Tamil Nadu Motor Transport Workers Rules, 1965 based on complaint of the petitioner union dated 16.08.2023 including criminal prosecution under section 32 of the Act 27 of 1961 within a time frame.

For Petitioner : Mr.A. Rahul (in both WPs)

For Respondents : Mr.Michael Heldon Kumar for R1 to R5
Mr.M.Mahaboob Athiff
Counsel for State for R6 (in both WPs)



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COMMON ORDER

These writ petitions have been filed by the petitioner Union for issuance of a Writ of Mandamus, directing the sixth respondent to take action against the respondents 1 to 5 and officials who are responsible for violation of the provisions of the Motor Transport Workers Act 1961 particularly Sections 13, 15, 18, 26 of the Act and Rule 26 and 27 of Tamil Nadu Motor Transport Workers Rules, 1965, based on complaint of the petitioner union dated 16.08.2023 including criminal prosecution under Section 32 of the Act 27 of 1961, within a time frame.

2. Heard the learned counsel for the parties.

3. The learned counsel appearing for the petitioner submitted that the petitioner is a registered trade union representing the drivers and conductors employed under the respondent Corporation. It is submitted that the respondents have been operating Route Nos. 144-B1, 144-B2, 144-E1, 503-A3, 144-C1, 144-D1, 844-A1, 144-C2 and 991-A1 with effect from 27.07.2023 by prescribing duty



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schedules extending from 18 hours 55 minutes to 20 hours 10 minutes. According to the learned counsel, such excessive duty hours have been introduced by reducing the attendance of the workmen, without obtaining the approval of the competent authority, namely, the sixth respondent, for effecting changes in the working hours. It is further submitted that engaging a single driver and conductor for such prolonged hours, without providing adequate rest, is in clear violation of the provisions of the Motor Transport Workers Act, 1961 and the Rules framed thereunder, besides posing a serious threat to the safety of the passengers as well as the drivers and conductors.

4. It is the specific case of the petitioner that the petitioner Union had submitted representations to respondents 1 to 5 requesting them to withdraw the impugned change in service conditions. Thereafter, a detailed complaint dated 16.08.2023 was also submitted to the sixth respondent seeking appropriate action against the respondent Corporation for the alleged statutory violations. However, despite the lapse of considerable time, no action has been taken on the said complaint. Hence, the petitioner seeks appropriate directions from this Court.



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5. Considering the limited relief sought in the present writ petitions and without expressing any opinion on the merits of the matter, these writ petitions stand disposed of with a direction to the sixth respondent to consider the petitioner's complaint dated 16.08.2023, conduct an enquiry after affording an opportunity of hearing to the petitioner as well as the respondents concerned and pass appropriate orders on merits and in accordance with law, as expeditiously as possible, preferably within a period of six (6) weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions, if any, are closed.

28.07.2026

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



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M.DHANDAPANI,J.

PKN

**ORDER MADE IN
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