



W.P.(MD).No.2107 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2024

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.2107 of 2024

and

W.M.P(MD)No.2106 of 2024

S.Murugan

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Tirunelveli) Ltd.,
Tirunelveli.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Tirunelveli) Ltd.,
Tirunelveli Division,
Tirunelveli.

3.The General Manager,
Tamil Nadu State Transport Corporation
(Tirunelveli) Ltd.,
Thoothukudi Division,
Thoothukudi.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, directing the respondents not



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to give any double duty and give single duty to the petitioner in the respondent Corporation and consider the petitioner's representation, dated 25.09.2023.

For Petitioner : Mr.K.Guhan

For Respondents : Mr.D.Jebaraj
Standing Counsel

ORDER

The present writ petition has been filed seeking direction to the respondents not to give any double duty and give single duty to the petitioner in the respondent Corporation and consider the petitioner's representation, dated 25.09.2023.

2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. The petitioner is working as Driver in the respondent Corporation. Now, he is working in Thoothukudi Mofussil Branch. Presently, he is plying the respondent Corporation bus in route no.150 DLX, namely Thoothukudi – Tirunelveli route. Originally, the respondent Corporation had given single duty i.e., for 8 hours. Now, they keep on insisting the petitioner to do double duty



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for 16-20 hours continuously. As per Section 13 of Motor Transport Workers Act, a Motor Transport Worker should not be made to work more than 8 hours in a single day or 40 hours in a week.

4. The Commissioner of Labour has already issued a communication to the Transport Corporations vide proceedings, dated 01.02.2016 in this regard. Despite the same, they are insisting for double duty. Hence, the petitioner made a representation on 25.09.2023 in this regard. The same was not considered and he is continuously insisted to perform double duty. Hence, this writ petition came to be filed.

5. The learned Standing Counsel appearing for the respondent Corporation on instructions submitted that at present, he is not insisted to do double duty, but only single duty.

6. In view of the same, this Court hereby direct the respondents not to give double duty and give only single duty to the petitioner in future.



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7. With the above said observations, this Writ Petition stands allowed.

No costs. Consequently, connected Miscellaneous Petition is closed.

02.02.2024

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

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To

- 1.The Managing Director,
Tamil Nadu State Transport Corporation
(Tirunelveli) Ltd.,
Tirunelveli.
- 2.The General Manager,
Tamil Nadu State Transport Corporation
(Tirunelveli) Ltd.,
Tirunelveli Division,
Tirunelveli.
- 3.The General Manager,
Tamil Nadu State Transport Corporation
(Tirunelveli) Ltd.,
Thoothukudi Division,
Thoothukudi.



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L.VICTORIA GOWRI, J.

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