



W.P.No.5845 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

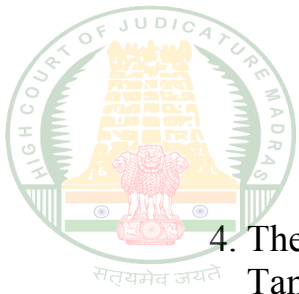
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1. K.V.Ramesh
2. R.Balusamy
3. P.Subramaniam
4. V.Sivakumar
5. T.Vasudevan
6. K.Selvaraj
7. R.Chandrasekaran
8. R.Muthukumar
9. N.Dhavasippan
10. K.Nataraj
11. D.Panchalingam
12. S.Senniyappan

... Petitioners

Vs.

1. The Secretary to the Government,
Department of Transport,
Secretariat,
Fort St.George,
Chennai – 600 009.
2. The Principal Secretary / Commissioner for Labour,
Labour Welfare Department,
Teynampet,
Chennai – 600 006.
3. The Managing Director,
Tamil Nadu State Transport Corporation,
Kovai Region, No.37, Mettupalayam Road,
Coimbatore – 641 043.



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4. The General Manager,
Tamil Nadu State Transport Corporation,
Erode Region, Chennimalai Road,
Erode District.

5. The General Manager,
Tamil Nadu State Transport Corporation,
Kovai Division & Region,
Mettupalayam Road,
Coimbatore – 641 043.

6. The Managing Director,
M/s.Best & Best Services India Private Limited,
Door No.147/G-50, Sri Sai Complex,
Opposite to Avila Convert,
Thadagam Road, Venkittapuram,
Coimbatore – 641 025.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the fourth respondent to reemploy us Drivers and Conductors in the existing vacancies of 148 Drivers and 245 Conductors as per the proviso of Section 25(h) of Industrial Dispute Act, 1947 read with rule 63 of Tamil Nadu Industrial Disputes Rules, 1958 based on the representation of the petitioners dated 05.08.2023 & 14.03.2024 and also the forwarding letter in Na.Ka.No.C1/24746/2023 dated 21.08.2023 by the 2nd respondent to the 3rd respondent, before appointing any new person as Driver and Conductor by recruitment on contract or otherwise.

For Petitioners : Mr.S.Arokiamaniraj

For Respondents : Mr.K.Surendran, AGP
for R1 and R2
Mr.Murali Vinoth for
R3 to R5



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ORDER

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This Writ Petition has been filed by the petitioner seeking for a Writ of Mandamus, to direct the fourth respondent to reemploy the petitioners in the existing vacancies of 148 Drivers and 245 Conductors as per the proviso of Section 25(h) of Industrial Dispute Act, 1947 read with rule 63 of Tamil Nadu Industrial Disputes Rules, 1958 based on the representation of the petitioners dated 05.08.2023 & 14.03.2024 and also the forwarding letter in Na.Ka.No.C1/24746/2023 dated 21.08.2023 by the 2nd respondent to the 3rd respondent, before appointing any new person as Driver and Conductor by recruitment on contract or otherwise.

2. Mr.K.Surendran, learned Additional Government Pleader, accepts notice on behalf of the respondents 1 and 2. Mr.Murali Vinoth, accepts notice for the respondents 3 to 5. In view of the consent expressed by the learned counsel for the parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioners is that, the petitioners were engaged as Drivers and Conductors with the fourth respondent Transport Corporation in the year 1993 and without any rhyme or reason, they have



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been terminated from service orally on 21.10.1998. Though after repeated requests they have not been provided with employment. Seeking for re-employment, the petitioners made representations dated 05.08.2023 and 14.03.2024 before the official respondents. Since the same was not considered the present writ petition has been filed by the petitioners seeking the aforesaid relief..

4. Though very many grounds have been raised in this writ petition, learned counsel for the petitioners submitted that, it would suffice, if this Court issues a direction to the fourth respondent to consider the petitioners representations dated 05.08.2023 and 14.03.2024 and pass appropriate orders, within a time frame that may be stipulated by this court.

5. Heard the learned counsel for the petitioners and the learned Additional Government Pleader appearing for the respondents 1 and 2 and the learned counsel appearing for the respondents 3 to 5 and perused the materials placed on record.

6. Considering the limited request made by the learned counsel



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for the petitioners, this court, without going into the merits of the case, directs the fourth respondent to consider the representations of the petitioners dated 05.08.2023 and 14.03.2024 on merits and in accordance with law and pass appropriate orders, within a period of eight (8) weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioners and aggrieved persons, if any.

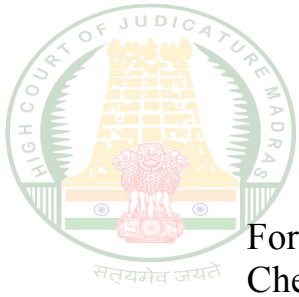
7. With the above direction, this writ petition is disposed of. No costs. Consequently, the connected writ miscellaneous petition is closed.

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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes/No
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To

1. The Secretary to the Government,
Department of Transport,
Secretariat,



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Fort St.George,
Chennai – 600 009.

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2. The Principal Secretary / Commissioner for Labour,
Labour Welfare Department,
Teynampet,
Chennai – 600 006.
3. The Managing Director,
Tamil Nadu State Transport Corporation,
Kovai Region, No.37, Mettupalayam Road,
Coimbatore – 641 043.
4. The General Manager,
Tamil Nadu State Transport Corporation,
Erode Region, Chennimalai Road,
Erode District.
5. The General Manager,
Tamil Nadu State Transport Corporation,
Kovai Division & Region,
Mettupalayam Road,
Coimbatore – 641 043.
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M/s.Best & Best Services India Private Limited,
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This petition is ordered as
prayed for.

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