



W.P.(MD).No.6826 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.6826 of 2025

Vetrivel

... Petitioner

-vs-

**The General Manager (Admin),
Tamilnadu State Transport And
Corporation Limited (TNSCTC),
Kumbakonam Limited,
Karaikudi Region,
Marudhupathy,
Sivagangai District.**

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent to disburse the arrears of increment with cumulative effect along with interest by considering petitioner's representation dated 22.01.2025 within the time frame as fixed by this Court.

For Petitioner : Mr.A.R.Kannappan

For Respondents : Mr.K.Ramaiah



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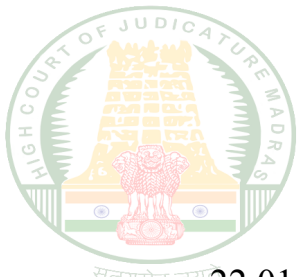
ORDER

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This writ petition has been filed seeking a direction to the respondent to disburse the arrears of increment with cumulative effect along with interest by considering the petitioner's representation dated 22.01.2025 within the time frame as fixed by this Court.

2. Heard the learned counsel on both sides and perused the materials placed before this Court.

3. The petitioner was working as a 'Driver' in the respondent Corporation. On one occasion, the bus driven by the petitioner met with an accident, wherein a person succumbed to injuries and thereby, an FIR came to be registered and a charge sheet was also laid against the petitioner and the case was ended in acquittal. However, the respondent Corporation has passed an order of stoppage of his increment for a period of three years with cumulative effect has been passed. Challenging the same, the petitioner filed a petition before the concerned Labour Court and the order of the said punishment was set aside with a direction to the respondent corporation to disburse the monetary benefits. However, the same has not been done so far. Hence, the petitioner made a representation to the respondent dated



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22.01.2025. Since the said representation was not considered, the petitioner has filed the present Writ Petition.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the respondent to consider the petitioner's representation dated 22.01.2025 on its own merits and pass appropriate orders in accordance with law, within a period of two months from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.



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6. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs.

03.07.2025

NCC : Yes/No
Index : Yes / No
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TO:-

1. The General Manager (Admin),
Tamilnadu State Transport And
Corporation Limited (TNSTC),
Kumbakonam Limited,
Karaikudi Region,
Marudhupathy,
Sivagangai District.



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VIVEK KUMAR SINGH, J.

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Order made in
W.P.(MD)No.6826 of 2025

Dated:
03.07.2025