



W.A.(MD)Nos.933, 997 & 998 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.12.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MRS.JUSTICE R.KALAIMATHI

W.A(MD)Nos.933, 997 & 998 of 2022

and

C.M.P(MD)Nos.7742, 7743, 8023 to 8026 of 2022

W.A(MD)No.933 of 2022:

- 1.The Managing Director,
The Tamil Nadu State
Transport Corporation,
Tirunelveli Limited,
Kattabomman Nagar,
Tirunelveli District.
- 2.The General Manager,
The Tamil Nadu State
Transport Corporation,
Tirunelveli Limited,
Vannarapettai,
Tirunelveli District.
- 3.The Deputy Manager (HRD),
The Tamil Nadu State
Transport Corporation,
Tirunelveli Limited,
Kattabomman Nagar,
Tirunelveli District.

... Appellants /
Respondents 2 to 4



W.A.(MD)Nos.933, 997 & 998 of 2022

Vs.

1.C.Vijayakumar

... 1st Respondent /
Writ Petitioner

2.The State represented by
The Secretary to Government,
Transport Department,
Secretariat, Fort St.George,
Chennai – 600 009.

... 2nd Respondent /
1st Respondent

3.A.S.Perumal

... 3rd Respondent /
5th Respondent

4.S.Sivanpillai

... 4th Respondent /
6th Respondent

Prayer: Writ Appeal filed under Clause 15 of Letters Patent to set aside the order of the learned single Judge in W.P(MD)No.8201 of 2018 dated 23.03.2022.

For Appellants : Mr.Veera.Kathiravan
Additional Advocate General
Assisted by
Mr.D.Jebaraj

For Respondents : Mr.T.Chandra Sekaran
for R.1

Mr.S.S.Shaji Bino
Additional Government Pleader
for R.2

Mr.J.Bharathan for R.4

No Appearance for R.3



W.A.(MD)Nos.933, 997 & 998 of 2022

W.A(MD)No.997 of 2022:

WEB COPY

- 1.The Managing Director,
The Tamil Nadu State
Transport Corporation,
Tirunelveli Limited,
Kattabomman Nagar,
Tirunelveli District.
- 2.The General Manager,
The Tamil Nadu State
Transport Corporation,
Tirunelveli Limited,
Vannarapettai,
Tirunelveli District.
- 3.The Deputy Manager (HRD),
The Tamil Nadu State
Transport Corporation,
Tirunelveli Limited,
Kattabomman Nagar,
Tirunelveli District.

... Appellants /
Respondents 2 to 4

Vs.

- 1.S.Suresh
- 2.The State represented by
The Secretary to Government,
Transport Department,
Secretariat, Fort St.George,
Chennai – 600 009.
- 3.A.S.Perumal

... 1st Respondent /
Writ Petitioner

... 2nd Respondent /
1st Respondent

... 3rd Respondent /
5th Respondent



W.A.(MD)Nos.933, 997 & 998 of 2022

4.S.Sivanpillai

... 4th Respondent /
6th Respondent

WEB COPY

Prayer: Writ Appeal filed under Clause 15 of Letters Patent to set aside the order of the learned single Judge in W.P(MD)No.8203 of 2018 dated 23.03.2022.

For Appellants : Mr.Veera.Kathiravan
Additional Advocate General
Assisted by
Mr.D.Jebaraj

For Respondents : Mr.T.Chandra Sekaran
for R.1

Mr.S.S.Shaji Bino
Additional Government Pleader
for R.2

Mr.J.Bharathan for R.4

No Appearance for R.3

W.A(MD)No.998 of 2022:

1.The Managing Director,
The Tamil Nadu State
Transport Corporation,
Tirunelveli Limited,
Kattabomman Nagar,
Tirunelveli District.

2.The General Manager,
The Tamil Nadu State
Transport Corporation,
Tirunelveli Limited,



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Vannarapettai,
Tirunelveli District.

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3.The Deputy Manager (HRD),
The Tamil Nadu State
Transport Corporation,
Tirunelveli Limited,
Kattabomman Nagar,
Tirunelveli District.

... Appellants /
Respondents 2 to 4

Vs.

1.R.Suresh Kumar

... 1st Respondent /
Writ Petitioner

2.The State represented by
The Secretary to Government,
Transport Department,
Secretariat, Fort St.George,
Chennai – 600 009.

... 2nd Respondent /
1st Respondent

3.A.S.Perumal

... 3rd Respondent /
5th Respondent

4.S.Sivanpillai

... 4th Respondent /
6th Respondent

Prayer: Writ Appeal filed under Clause 15 of Letters Patent to set aside the order of the learned single Judge in W.P(MD)No.8202 of 2018 dated 23.03.2022.

For Appellants : Mr.Veera.Kathiravan
Additional Advocate General
Assisted by
Mr.D.Jebaraj



W.A.(MD)Nos.933, 997 & 998 of 2022

For Respondents : Mr.T.Chandra Sekaran
for R.1

Mr.S.S.Shaji Bino
Additional Government Pleader
for R.2

Mr.J.Bharathan for R.4

No Appearance for R.3

COMMON JUDGMENT

(Judgment of the Court was made by G.R.Swaminathan J.)

Heard both sides.

2.The Managing Director, TNSTC has filed these writ appeals questioning the common order dated 23.03.2022 passed by the learned single Judge allowing W.P(MD)Nos.8201 to 8203 of 2018 filed by the respective first respondents. The writ petitioners felt aggrieved by the promotion conferred on the private respondents in the writ petitions. Their specific contention was that overlooking their seniority, promotions were granted. The learned single Judge agreed with the contention of the writ petitioners and allowed the writ petitions in the following terms:

“16. The impugned order is set aside and the official respondents are directed to grant promotion to the petitioners by taking the seniority in the year 2015 with the consequential monetary benefits to the



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petitioners. Since the 5th and 6th respondents have already served in the post and received the monetary benefits, the official respondents are directed to revert the respondents 5 and 6. Since the respondents 5 and 6 have served in the post and has received monetary benefits applicable to the said post, it can be considered as temporary post, which is "incharge post" and the official respondents are refrained from recovering the monetary benefits availed by the fifth and sixth respondents. This relief is granted since the respondents deliberately have not followed Rule 60 of the Common Cadre Service Rules."

Questioning the same, these Writ Appeals have been filed by the Management.

3.The learned Additional Advocate General submitted that the writ petitioners are misconstruing the order passed by the learned single Judge and have filed contempt petitions. According to him, the writ petitioners would be given promotion only when their turn arises as per the seniority list for the year 2015. He further contended that the writ petitioners are trying to give the impression that the learned single Judge had given a direction for immediate promotion, overlooking their position in the 2015 seniority list.



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4.We are of the view that the order passed by the learned single Judge is sufficiently clear and does not admit of any ambiguity. The learned single Judge made it clear that promotion has to be granted to the petitioners by taking into account the seniority list for the year 2015.

5.The learned counsel appearing for the writ petitioners / contesting respondents would argue that the persons who have been shown as seniors to the writ petitioners in the 2015 seniority list have either given up their claim for promotions or that their turn as per seniority list has already arisen. These contentions have to be canvassed only in the contempt petition and we are not concerned with the developments, if any, in the said subsequent year.

6.With the aforesaid observation, these Writ Appeal are dismissed.
No costs. Consequently, connected miscellaneous petitions are closed.

[G.R.S., J.] [R.K.M, J.]
09.12.2025

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



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To
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The Secretary to Government,
Transport Department,
Secretariat,
Fort St.George,
Chennai – 600 009.



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G.R.SWAMINATHAN,J.

AND

R.KALAIMATHI, J.

MGA

W.A(MD)Nos.933, 997 & 998 of 2022

and

C.M.P(MD)Nos.7742, 7743, 8023 to 8026 of 2022

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