



W.P.(MD)No.18571 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.18571 of 2025

C.Perumal

... Petitioner

-VS-

1.The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Trichy Region, Trichy. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to take necessary action on the basis of the petitioner's representation dated 07.03.2025 with regard to give all the monitory benefits to the petitioner, since he is working as a Driver from the year of 2013 to till date, within a time frame fixed by this Court.

For Petitioner : Mr.D.Anbarasu

For Respondents : Mr.K.Ramaiah
Standing Counsel



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ORDER

This Writ Petition has been filed seeking a direction to the respondents to take necessary action based on the petitioner's representation dated 07.03.2025, with regard to granting all the monetary benefits to the petitioner, who has been working as a 'Driver' from the year 2013 to till date, within a time frame to be fixed by this Court.

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

3. According to the petitioner, he joined as a 'Driver' in the respondent's Corporation in 2013 and his service was regularized. He has been working as a permanent Driver in the Corporation since then, following the Corporation's rules. As per the standing orders of the Corporation, the petitioner is entitled to promotion to 'Senior Driver' after 6 years of service, followed by additional promotions at 11 and 20 years of service. However, despite completing the required period, the petitioner has not received any promotion or benefits and the other colleagues, who joined at the same time, have received promotions and higher salaries.



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4. Further, in March 2020, the petitioner was issued with a charge memo for an accident caused by negligence and was penalized with a cut in his yearly increment for two years, with cumulative effect. In 2022, the petitioner was again issued a charge memo and the same penalty of a six-month cut in the yearly increment with cumulative effect was imposed. The petitioner challenged the penalty in W.P.(MD)No.22729 of 2024. This Court, on 24.09.2024, directed the petitioner to file an appeal before the first respondent to reconsider the punishment, but the proceedings are still pending. Despite repeated requests made by the petitioner, both in person and through representations dated 01.07.2024 and 07.03.2025, no action has been taken by the respondents regarding his promotion, review and other benefits as per the Corporation's standing orders.

5. Furthermore, no reply has been provided by the respondents to the representations. While other colleagues, who joined at the same time, are earning more than Rs.25,000/- per month, the petitioner is only receiving Rs.10,000/- per month, which reflects the lack of promotion and benefits. Therefore, the petitioner seeks directions from this Court to the respondents to grant him the promotions, review and other benefits, as per the Standing Orders and to take



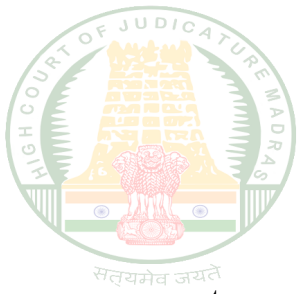
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necessary action on the pending representations, within a time frame to be fixed by this Court.

6. Heard both sides.

7. 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.

8. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 07.03.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, 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



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not expressed any of its views with regard to the merits of the matter and that it is open to the first respondent to consider the same on its own merits.

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

NCC : Yes / No
Index : Yes / No
smn2

09.07.2025

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VIVEK KUMAR SINGH, J.

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