



W.P.(MD)No.19467 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.19467 of 2025

N.Murugesan

... Petitioner

-VS-

1.The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Bye - Pass Road, Madurai.

2.The General Manager,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Madurai Region, Bye-Pass Road,
Madurai - 625016.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to consider the representation dated 28.06.2025 as mentioned in the 15th Wage Settlement for relaxing the extend time for appeal petition to the respondent corporation, within a stipulated time fixed by this Court.

For Petitioner

: Mr.K.Gokul



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For Respondents

: Mr.K.Ramaiah
Standing Counsel

ORDER

This Writ Petition has been filed seeking a direction to the first respondent to consider the petitioner's representation dated 28.06.2025, in accordance with the provisions of the 15th Wage Settlement, for relaxing the extended time limit for filing an appeal petition before the respondent Corporation, 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 was initially appointed as a Daily Wage Driver in the respondent Corporation on 25.02.1994 and subsequently, he was promoted as a Selection Grade Driver in the Mofussil Branch of the Madurai Region. On 09.05.2013, while the petitioner was discharging his duty on the Madurai–Coimbatore route, an unfortunate accident occurred involving a two-wheeler at the Kodai Road Bus Stop. A charge memo dated 29.05.2013 was issued and the petitioner was placed under suspension for 30 days. The petitioner



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submitted his explanation on 08.08.2013; however, the Management, being dissatisfied with the explanation, imposed a punishment of three years' increment cut with cumulative effect by final order dated 06.01.2015.

4. It is submitted that the accident was not due to the fault on the part of the petitioner but solely due to the rash and negligent driving of the two-wheeler rider. Aggrieved by the disproportionate punishment, the petitioner submitted a representation dated 28.06.2025, seeking reconsideration of the order, invoking the relaxation clause in the 15th Wage Settlement. Since no action has been taken by the respondents till date, the petitioner has been constrained to file this writ petition seeking appropriate directions.

5. Heard both sides.

6. 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



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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 the India and direct them to consider the same within a stipulated time.

7. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 28.06.2025, 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 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.

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

NCC : Yes / No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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