



W.P.(MD)No.22489 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.08.2025

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P.(MD) No.22489 of 2025

and

W.M.P.(MD) No.17597 & 17598 of 2025

- 1.P.Gunasekaran
- 2.R.Rajadurai
- 3.A.Balamurugan
- 4.V.Paramasivam
- 5.S.Mariappan
- 6.T.Muthukumar

: Petitioners

Vs.

1. The General Manager,
Tamil Nadu State Transport Corporation (Tirunelveli Ltd).,
Tirunelveli Division,
Vannarapettai,
Tirunelveli.
2. The Managing Director,
Tamil Nadu State Transport Corporation (Tirunelveli Ltd).,
Tirunelveli Division,
Head Office KTC Nagar,
Tirunelveli.
3. The Branch Manager,
Indian Overseas Bank,
Sankarankovil Branch,
No.248, PR Perumal Raja Building,
Rajapalayam Main Road,
Sankarankovil,
Tenkasi District-627 756.



W.P.(MD)No.22489 of 2025

WEB COPY

4. The Branch Manager,
Canara Bank,
Sankarankovil Branch,
Rajapalayam Main Road,
Sankarankovil,
Tenkasi District-627 756.

5. The Branch Manager,
State Bank of India,
Sripuram Branch,
No.25,25A, SN Highway Road,
Tirunelveli-627 001.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the impugned circular No. 0551/MavaMe1/ThaAPoKa/Tvl/2024 dated 19.10.2024 issued by the 2nd respondent and quash the same and directed the 1 and 2 respondents to refund the amount deducted for the TNV-TEDA fund for the months from Nov 2024 to July 2025 to the petitioners herein.

For Petitioner : Mr.M.Kumar

For Respondents : Mr.K.Ramaiah (R1 & R2)

Mr.N.Dilipkumar (R3)

Mr.C.Karthick (R4 & R5)



W.P.(MD)No.22489 of 2025

ORDER

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This writ petition has been filed challenging the circular bearing No.0551/MavaMe1/ThaAPoKa/Tvl/2024 dated 19.10.2024 issued by the 2nd respondent with a consequential prayer to direct the respondents 1 and 2 to refund the amount deducted for TNV-TEDA fund for the months from Nov 2024 to July 2025 to the petitioners herein.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The learned counsel appearing for the petitioners submitted that the respondent Transport Corporation, as per Circular dated 19.10.2024, formed a welfare scheme namely Tirunelveli Transport Employees Death Aid Fund (TNV – TNEA fund) to fulfill the demands of various trade union to provide assistance to the legal heirs of all the employees and it is stated in the circular that if the employees have any objection for deduction of the amount, they can inform the same in writing within a week. Since the petitioners had no knowledge about the circular, the deductions were being done and only when they came to know, the



W.P.(MD)No.22489 of 2025

WEB COPY

petitioners had given the objection for deductions. In spite of the same, the respondents continued deductions. Therefore, the petitioners approached the labour Court and filed claim petitions for refund of the deduction amount. With regard to the aforesaid relief, the petitioners made representations dated 05.11.2024 and 12.11.2024 to the respondents. Since no action has been taken, this writ petition came to be filed.

4. The learned counsel appearing for the petitioners submits that though the aforesaid relief has been sought for by the petitioner, now, he confines the prayer that it would suffice if the representations submitted by the petitioners dated 05.11.2024 and 12.11.2024 are disposed of in accordance with law.

5. 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



W.P.(MD)No.22489 of 2025

WEB COPY

invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the first respondent to consider the petitioner's representations dated 05.11.2024 and 12.11.2024, on its own merits and pass appropriate orders in accordance with law, within a period of six weeks 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.

7. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

19.08.2025

Index : Yes / No
NCC : Yes / No
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(2/2)



WEB COPY



W.P.(MD)No.22489 of 2025

M.DHANDAPANI, J.

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To:-

1. The General Manager,
Tamil Nadu State Transport Corporation (Tirunelveli Ltd).,
Tirunelveli Division,
Vannarapettai,
Tirunelveli.

W.P.(MD) No.22489 of 2025

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