



W.P.(MD)No.22322 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.08.2025

CORAM:

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

W.P.(MD) No.22322 of 2025

T.Chandrabose

: Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Kumbakonam,
Thanjavur District.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Trichy Region,
Periyamilaguparai,
Tiruchirappalli District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents to recompute the petitioner's retirement benefits by taking into account petitioner's acquittal in CC No. 254/2020 and to disburse the arrears of salary and other retirement benefits together with interest, within a time frame fixed by this Court.



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For Petitioner : Mr.N.Sudhagar Nagaraj

For Respondents : Mr.S.C.Herold Singh,

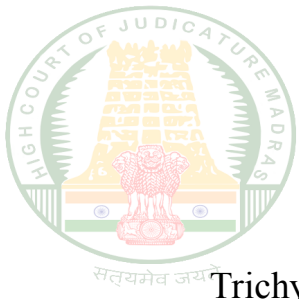
Standing Counsel

ORDER

This writ petition has been filed seeking a direction to the respondents to recompute the petitioner's retirement benefits by taking into account the petitioner's acquittal in Criminal Case No. 254 of 2020 and to disburse the arrears of salary and other retirement benefits together with interest, within a time frame fixed by this Court.

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

3. The petitioner was appointed as a Driver in the Tamil Nadu State Transport Corporation (Kumbakonam) Limited, Trichy Division, on 17 January 1989. The petitioner retired from service on attaining the age of superannuation on 30 June 2023 as a Selection Grade Driver attached to the Trichy Moffussil Branch. While the petitioner was in service, on 12 August 2019, an accident occurred near Ramesh Theatre, Namakkal—



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Trichy Main Road. Based on the same, a criminal case was registered against the petitioner, and he was prosecuted in Criminal Case No. 254 of 2020 before the learned Additional Mahila Judge, Namakkal, for the alleged offence under Section 304-A of the Indian Penal Code. However, after a full-fledged trial, the Criminal Court acquitted the petitioner by judgment dated 18 November 2022, holding that he was not guilty of the charges framed. In the meantime, without awaiting the outcome of the criminal case, the authorities imposed a punishment on 20 November 2020, whereby eight stages in the petitioner's basic pay were deferred for a period of 18 months without cumulative effect. Consequently, the petitioner's monthly salary was significantly reduced. Subsequently, the petitioner made representations to the authorities requesting refixation of his retirement benefits in light of his acquittal, but the same has evoked no response. Thereafter, the petitioner submitted another representation on 16 June 2025. No action has been taken so far. Hence, 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



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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 respondents to consider the petitioner's representation dated 16 June 2025, 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.

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

14.08.2025

Index : Yes / No
NCC : Yes / No
TSG



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M.DHANDAPANI, J.

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