



W.P(MD)No.31101 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.11.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.31101 of 2025

and

W.M.P.(MD)No.24318 of 2025

T.Manoj Kumar

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep by its Secretary,
Department of Transport,
Fort St. George,
Chennai - 600 009.
- 2.The National Highways Authority of India,
Rep by its Chairman,
Plot No.G/5/6, Gurgaon Road,
Dwarka Section 10,
Delhi – 110075.
- 3.The Project Director,
National Highways Authority of India,
Project Implementation Unit,
D.No.733, Gomathipuram 6th Main Road,
Madurai 625 020.
- 4.The Managing Director,
Tamil Nadu State Transport Corporation (TNSTC),
91, Bye Pass Road, TNSTC Head Office,
Madurai 625 010.



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5.The General Manager,
TNSTC Madurai Ltd.,
Virudhunagar Region,
Madurai Virudhunagar Highway,
Virudhunagar 626 001.

6.The General Manger,
TNSTC Madurai Ltd.,
Dindigul Region,
Bye Pass Road,
Collectorate Post,
Dindigul 624 004.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 4 to 6 TNSTC herein to pay the arrears of user fee payable to the petitioner herein amounting to a sum of Rs.1,49,37,399/- with penal interest @ 18% for taking their TNSTC Motor Vehicles @ Parali Pudur Toll Plaza for the period between 15.06.2024 and 15.07.2025 by considering the representations submitted by the petitioner within a time frame fixed by this Court.

For Petitioner : Mr.T.Cibi Chakraborty

For Respondents : Mr.M.Lingadurai,
Spl. Government Pleader for R1.
Mr.P.Karthick for R2 & R3.
Mr.S.Raja for R4 to R6.



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ORDER

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Heard both sides.

2.NHAI constructed four way between lane between Madurai and Thuvrankurichi through Chettikulam and Natham. The writ petitioner was appointed as concessionaire to man Putur Toll Plaza at km 21.0202 Km EPC mode. The petitioner was mandated to collect user charges as per National Highways Fee (Determination of Rates and Collection) Rules, 2008. The public transport buses run by the respondents 4 to 6 regularly passed through the said toll plaza but did not pay the user charges. According to the writ petitioner, the dues have come to Rs.1,49,37,199/-.

3.I consciously refrain from quantifying the exact liability here. The transport corporation officials as well as the writ petitioner's representative shall appear before the Transport Secretary (first respondent herein) on 15.12.2025 at 03.00 pm. The petitioner shall place all the materials in support of his claim. Likewise, the transport corporation may place their materials in support of their defence. The

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first respondent shall quantify and determine the amount payable by the transport corporations within a period of ten days thereafter. The amount as quantified by the Transport Secretary shall be paid by the respondents 4 to 6 to the writ petitioner within a period of four months. If the petitioner is aggrieved by the quantification made by the first respondent, it is open to the petitioner to move this Court challenging the said quantification. The writ petitioner cannot be blamed for the default committed by the public transport corporations. Therefore, the respondents 2 and 3 are called upon to consider not to levy any penalty on the petitioner for the default committed by the public transport corporations.

4.This writ petition is allowed accordingly. No costs.
Consequently, connected miscellaneous petition is closed.

28.11.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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Issue order copy on 04.12.2025.

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To:

The Secretary,
Department of Transport,
Fort St. George,
Chennai - 600 009.



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G.R.SWAMINATHAN, J.

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