



W.A(MD)No.133 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2026

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CORAM
THE HONOURABLE MR. JUSTICE M.DHANDAPANI
and
THE HONOURABLE MR. JUSTICE N.DILIP KUMAR

W.A(MD)No.133 of 2021

Joseph Raj

: Appellant

Vs.

1. The Management,
Tamil Nadu State Express Transport
Corporation,
Pallavan Salai,
Chennai 002.

2. The Labour Court,
Tirunelveli,
Tirunelveli District.

... Respondents

Prayer: This Writ Appeal is filed under Clause 15 of Letters Patent Act, against the order passed by this Court in W.P.(MD)No. 8981 of 2016 dated 14.03.2018.

For Appellant : Mr. P.Thirumahilmaran

For Respondents : No appearance (R1)



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JUDGMENT

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(Judgment of the Court was made by **M.DHANDAPANI.J.**)

This Intra-Court Appeal has been filed challenging the order passed by the learned Single Judge of this Court in W.P.(MD)No.8981 of 2016, dated 14.03.2018.

2. The writ petitioner was dismissed from service by order dated 20.09.2008, on the allegation that he had transported liquor bottles in the tool kit of the Corporation bus while functioning as a Driver. Challenging the order of dismissal, the petitioner raised an industrial dispute in I.D.No.74 of 2014 before the Labour Court, Tirunelveli. The said industrial dispute came to be dismissed on the ground that the dispute was barred by limitation, in view of the provisions of Section 2-A(3) of the Industrial Disputes Act, 1947.

3. The learned counsel appearing for the appellant would submit that, without going into the merits of the case, the appellant/writ petitioner may be granted liberty to prefer an appeal before the Managing Director of the petitioner-Corporation and the Managing Director may be directed to consider and dispose of the same on merits.



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4. Though the name of the first respondent/Transport Corporation has been printed in the cause list, none appeared on behalf of the first respondent. Considering the pendency of the case, this Court is inclined to dispose of the writ appeal.

5. We have heard the learned counsel appearing for the appellant and perused the materials available on record.

6. The admitted position is that the petitioner was dismissed from service on 20.09.2008 and thereafter raised the industrial dispute in I.D.No.74 of 2014. The Labour Court dismissed the dispute on the ground of limitation, having regard to the statutory prescription contained in Section 2-A(3) of the Industrial Disputes Act, 1947. Once the statute prescribes a specific period of limitation for raising an industrial dispute, the Labour Court cannot enlarge or extend such period except to the extent permitted by the statute. This Court, in exercise of its writ jurisdiction, also cannot grant a relief contrary to the statutory prescription.

7. In such circumstances, this Court finds no error or infirmity in the order passed by the Labour Court. The prayer seeking a direction to the



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Managing Director to consider the petitioner's grievance on merits also cannot be granted, as such a direction would virtually defeat the statutory limitation prescribed under the Act.

8. Accordingly, the writ petition is dismissed. No costs.

[M.D.I.,J] [N.D.K.,J]

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Index:Yes/No
Internet:Yes/No
PKN

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