



W.P(MD)No.12910 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.07.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.12910 of 2023

and

W.M.P(MD)No.10935 of 2023

The Management,
TNSTC (Madurai) Ltd.,
Bypass Road,
Collector Office Post,
Dindigul.

... Petitioner

Vs

The General Secretary,
RMTC Workers Union,
AITUC, 223, Pokkuvarathu Nagar,
Alamarathupatti (Post),
Dindigul District - 624 303.

... Respondent

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, calling for the records on the file of the Labour Court, Trichy (Dindigul Camp) pertaining to its proceedings in I.D.No.14 of 2019 dated 29.12.2022 and quash the same.



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For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.G.M.Xavier

ORDER

This Writ Petition has been filed challenging the award dated 29.12.2022 passed by the Labour Court, Tiruchirappalli (Dindigul Camp), in I.D. No.14 of 2019.

2.The learned counsel appearing for the petitioner Corporation submitted that the respondent/workman, R.Jeyaramachandran, was appointed as a Driver in the petitioner Corporation on 10.05.2015. While he was on duty driving the bus bearing Registration No. TN-57-N-1953 on the Tiruchirappalli–Palani route, the vehicle, while crossing Kananpatti, was allegedly driven in a rash and negligent manner and collided with a bridge, as a result of which the bus toppled into a roadside ditch. The accident caused damage to the Corporation's vehicle to the tune of Rs.25,630/-.

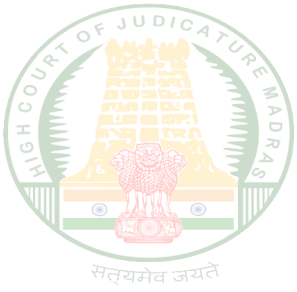


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3.It is further submitted that, in respect of the said incident, a charge memo dated 18.05.2015 was issued to the workman. After conducting a domestic enquiry, the charges were held to be proved. Based on the findings of the Enquiry Officer, the disciplinary authority, by proceedings dated 20.05.2016, imposed the punishment of stoppage of one annual increment with cumulative effect. Aggrieved by the said punishment, the respondent Union espoused the cause of the workman and raised an industrial dispute in I.D.No.14 of 2019 before the Labour Court, Tiruchirappalli (Dindigul Camp). By award dated 29.12.2022, the Labour Court modified the punishment by converting the punishment of stoppage of one annual increment with cumulative effect into stoppage of one annual increment without cumulative effect. Challenging the said award, the present Writ Petition has been filed.

4.The learned counsel appearing for the petitioner further submitted that the punishment imposed by the disciplinary authority was commensurate with the gravity of the misconduct established against the



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workman. It is contended that the Labour Court, without assigning adequate reasons, modified the punishment in exercise of its powers under Section 11-A of the Industrial Disputes Act, 1947. According to the learned counsel, once the disciplinary authority had imposed an appropriate punishment based on the findings of a valid domestic enquiry, the Labour Court ought not to have interfered with the same unless it was shown to be shockingly disproportionate or otherwise illegal. Hence, the impugned award is liable to be set aside.

5.Per contra, the learned counsel appearing for the respondent Union submitted that the Labour Court, upon an appreciation of the entire evidence on record, rightly exercised its discretionary jurisdiction under Section 11-A of the Industrial Disputes Act. It is submitted that, though the accident had occurred, only three persons sustained simple injuries and the loss caused to the Corporation was not substantial. Taking into consideration the nature of the misconduct, the past service of the workman and the overall facts and circumstances of the case, the Labour Court found that the



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6.Heard the learned counsel appearing on either side and perused the materials available on record.

7.The only issue that arises for consideration is whether the Labour Court was justified in modifying the punishment imposed on the respondent/workman.

8.A perusal of the impugned award discloses that the Labour Court has not interfered with the findings of the domestic enquiry or exonerated the workman of the charges. On the contrary, it has accepted the finding of misconduct and has interfered only with the quantum of

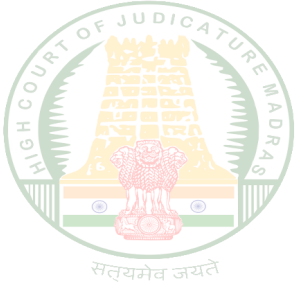


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punishment by exercising the power conferred under Section 11-A of the Industrial Disputes Act, 1947. The Labour Court has assigned reasons for holding that the punishment of stoppage of one annual increment with cumulative effect was excessive in the facts and circumstances of the case and has substituted it with a lesser punishment of stoppage of one annual increment without cumulative effect.

9.It is well settled that the Labour Court is empowered under Section 11-A of the Industrial Disputes Act to reappraise the evidence and, where the circumstances so warrant, modify the punishment imposed by the disciplinary authority. Unless the exercise of such discretion is shown to be arbitrary, perverse or based on no evidence, this Court, in exercise of its jurisdiction under Article 226 of the Constitution of India, would not ordinarily interfere with the award. In the present case, this Court does not find any perversity or patent illegality in the reasons assigned by the Labour Court for modifying the punishment.



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10. Accordingly, the Writ Petition stands dismissed. The award dated 29.12.2022 passed by the Labour Court, Tiruchirappalli (Dindigul Camp), in I.D. No.14 of 2019 is hereby confirmed. No costs. Consequently, connected Miscellaneous Petition is closed.

09.07.2026

NCC : Yes / No
Index : Yes / No
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To

The General Secretary,
RMTC Workers Union,
AITUC, 223, Pokkuvarathu Nagar,
Alamarathupatti (Post),
Dindigul District - 624 303.



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M.DHANDAPANI, J.

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