



W.P(MD)No.16222 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.16222 of 2023

and

W.M.P(MD)No.13590 of 2023

The Management,
Tamil Nadu State Transport Corporation
(Madurai) Limited, By Pass Road,
Collector Office Post, Dindigul.

... Petitioner

Vs

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

... 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 Court) pertaining to its proceedings in I.D.No.67 of 2019 dated 27.03.2023 and quash the same.

For Petitioner : Mr.S.C.Herold Singh

For Respondent : Mr.K.K.Samy



W.P(MD)No.16222 of 2023

WEB COPY

ORDER

This Writ Petition has been filed challenging the award dated 27.03.2023 passed in I.D. No.67 of 2019 on the file of the Labour Court, Tiruchirappalli (Dindigul Camp Court), and seeking to quash the same.

2.The case of the petitioner Corporation is that the workman, namely Ganesan, a member of the respondent Union, was employed as a Driver in the petitioner Corporation. On 07.09.2014, while discharging his duties, he was involved in a fatal road accident. Alleging negligence on his part, the petitioner Corporation initiated disciplinary proceedings by appointing an Enquiry Officer. The domestic enquiry culminated in a finding that the charges stood proved. Accepting the findings of the Enquiry Officer, the disciplinary authority imposed the punishment of stoppage of increment for a period of five years with cumulative effect by order dated 23.07.2015. Aggrieved by the said punishment, the respondent Union raised an industrial dispute under Section 2(k) of the Industrial Disputes Act, 1947, pursuant to



W.P(MD)No.16222 of 2023

WEB COPY

G.O.(D)Ms.No.687, Labour and Employment Department, dated 27.11.2019, which was taken on file as I.D.No.67 of 2019 by the Labour Court, Tiruchirappalli (Dindigul Camp Court). By the impugned award dated 27.03.2023, the Labour Court modified the punishment from stoppage of increment for five years with cumulative effect to stoppage of increment for three years without cumulative effect. Challenging the said award, the present Writ Petition has been filed.

3.Learned counsel appearing for the petitioner submitted that the finding of guilt recorded against the workman is not in dispute. The Labour Court itself concurred with the findings of the domestic enquiry and held that the misconduct stood proved. Having upheld the findings of guilt, the Labour Court was not justified in modifying the punishment imposed by the disciplinary authority. It is contended that the punishment imposed was commensurate with the gravity of the misconduct and that the Labour Court exceeded its jurisdiction in interfering with the quantum of punishment. Accordingly, learned counsel prayed for allowing the Writ Petition.



W.P(MD)No.16222 of 2023

WEB COPY

4.Per contra, learned counsel appearing for the respondent Union submitted that the Labour Court is vested with ample powers under Section 11-A of the Industrial Disputes Act, 1947, to interfere with the punishment imposed by the disciplinary authority if it finds the same to be disproportionate to the misconduct proved. It is submitted that, while the finding of guilt was sustained, the Labour Court found the punishment of stoppage of increment for five years with cumulative effect to be excessive and disproportionate. Therefore, in exercise of its statutory powers under Section 11-A, the Labour Court modified the punishment to stoppage of increment for three years without cumulative effect. It is thus contended that the impugned award does not warrant interference under Article 226 of the Constitution of India.

5.This Court has carefully considered the rival submissions and perused the materials available on record.



W.P(MD)No.16222 of 2023

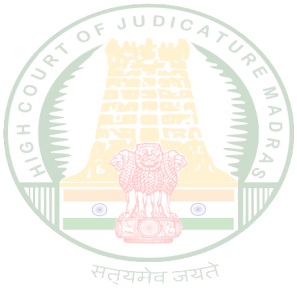
WEB COPY

6.It is not in dispute that the domestic enquiry was conducted in accordance with law and that the misconduct alleged against the workman stood proved.

7.The only issue that arises for consideration is whether the Labour Court was justified in modifying the punishment imposed by the disciplinary authority.

8.Section 11-A of the Industrial Disputes Act, 1947, expressly empowers the Labour Court to interfere with the punishment imposed by the employer where it finds that the punishment is disproportionate to the gravity of the misconduct. The power conferred under the said provision is a statutory power intended to ensure that the punishment imposed is fair, reasonable and proportionate to the misconduct established.

9.The Hon'ble Supreme Court, in ***Prem Nath Bali v. High Court of Delhi***, reported in ***(2015) 16 SCC 415***, has held that the disciplinary



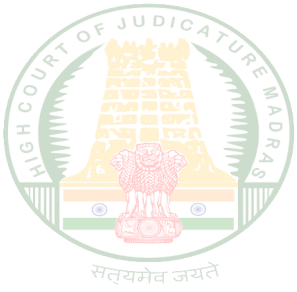
W.P(MD)No.16222 of 2023

WEB COPY

authority is the competent authority to decide the nature of punishment once the charges are proved. At the same time, it has been categorically held that Courts may interfere with the quantum of punishment in appropriate cases where the punishment is found to be wholly unreasonable, arbitrary or disproportionate to the gravity of the proved misconduct. The relevant observations are as follows:

"20. It is a settled principle of law that once the charges levelled against the delinquent employee are proved, it is for the appointing authority to decide as to what punishment should be imposed on the delinquent employee as per the Rules. The appointing authority, keeping in view the nature and gravity of the charges, the findings of the Inquiry Officer, the entire service record of the delinquent employee and all other relevant factors, exercises its discretion and imposes the punishment as provided under the Rules.

21. Once such discretion is exercised by the appointing authority in imposing the punishment (whether minor or major), the Courts are slow to interfere with the quantum of punishment and only in rare and appropriate cases substitute the punishment. Such power is exercised only when the Court finds that the



W.P(MD)No.16222 of 2023

WEB COPY

punishment imposed is wholly unreasonable, arbitrary or disproportionate to the gravity of the proved charges, thereby shocking the conscience of the Court, or when it is found to be contrary to the Rules. In such cases, the Court may remit the matter to the appointing authority for imposing an appropriate punishment or may itself substitute the punishment instead of remitting the matter."

10. In the case on hand, the Labour Court has not interfered with the findings recorded in the domestic enquiry. It has only exercised the power conferred under Section 11-A of the Industrial Disputes Act and modified the punishment on the ground that stoppage of increment for five years with cumulative effect was disproportionate to the nature of the misconduct. Such an exercise falls squarely within the statutory jurisdiction of the Labour Court.

11. This Court does not find any perversity, patent illegality or jurisdictional error in the exercise of discretion by the Labour Court warranting interference under Article 226 of the Constitution of India. The



W.P(MD)No.16222 of 2023

WEB COPY

modification of punishment cannot be said to be arbitrary or contrary to law.

On the contrary, it is in consonance with the principles governing proportionality of punishment and the power vested in the Labour Court under Section 11-A of the Industrial Disputes Act.

12.In view of the above, this Court finds no merit in the Writ Petition. The award dated 27.03.2023 passed by the Labour Court, Tiruchirappalli (Dindigul Camp Court) in I.D. No.67 of 2019 does not call for interference.

13.Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

13.07.2026

NCC : Yes / No
Index : Yes / No
ps



WEB COPY



W.P(MD)No.16222 of 2023

To

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



WEB COPY



W.P(MD)No.16222 of 2023

M.DHANDAPANI, J.

ps

W.P(MD)No.16222 of 2023

13.07.2026