

W.P.(MD)No.23984 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 30.06.2026

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.23984 of 2022

B.Jeevan Moorthy

...Petitioner

Vs

The General Manager,

Tamil Nadu State Transport Corporation (Kumbakonam) Limited,

Periyamilaguparai,

Trichy-1.

...Respondent

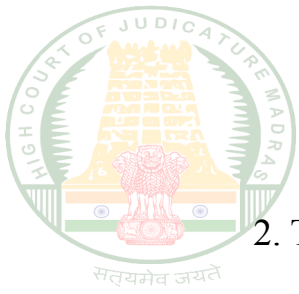
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records of the Labour Court, Madurai in I.D.No.32 of 2015 and quash the award dated 12.01.2016.

For Petitioner : Mr.G.M.Xavier

For Respondent : No Appearance

ORDER

This writ petition has been filed challenging the award passed by the Labour Court, Madurai in I.D. No.32 of 2015 dated 12.01.2016.



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2. The case of the petitioner is that the workman, a driver employed under the respondent Corporation, was proceeded against departmentally in connection with a road accident that occurred on 08.02.1999, resulting in the death of two passengers. Pursuant to a domestic enquiry, the disciplinary authority imposed the punishment of stoppage of increment for three years with cumulative effect by order dated 19.04.2002. In appeal, the appellate authority modified the punishment to stoppage of increment for two years with cumulative effect by order dated 14.12.2012. Aggrieved by the appellate order, the petitioner Union raised an industrial dispute. The Labour Court, while upholding the findings of the domestic enquiry, exercised its powers under Section 11-A of the Industrial Disputes Act and further modified the punishment from stoppage of increment for two years with cumulative effect to stoppage of increment for two years without cumulative effect by award dated 12.01.2016. The principal contention of the learned counsel for the petitioner is that, in respect of the very same occurrence, the criminal case ended in acquittal and, therefore, no departmental punishment could have been imposed.

3. The above said contention made by the learned counsel for the petitioner cannot be accepted. It is well settled that criminal proceedings and departmental proceedings operate in different fields. While a criminal



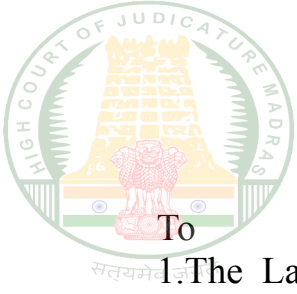
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prosecution requires proof beyond reasonable doubt, the standard of proof in a departmental enquiry is that of preponderance of probabilities. Therefore, an order of acquittal in the criminal case does not automatically invalidate the findings recorded in a departmental enquiry. In the present case, the occurrence of the accident, the involvement of the workman in the accident, and the death of two passengers are not in dispute. The disciplinary authority initially imposed the punishment of stoppage of increment for three years with cumulative effect. The appellate authority reduced the punishment to two years with cumulative effect. Thereafter, the Labour Court further exercised its discretion in favour of the workman by modifying the punishment to stoppage of increment for two years without cumulative effect. Thus, the punishment has already undergone two stages of reduction. The Labour Court has exercised its jurisdiction judiciously and extended substantial relief to the workman. This Court does not find any perversity, patent illegality, or jurisdictional error in the award warranting interference under Article 226 of the Constitution of India.

4. Accordingly, the writ petition stands dismissed. No costs.

30.06.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
TSG



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To

1.The Labour Court, Madurai.

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2.The General Manager,

Tamil Nadu State Transport Corporation (Kumbakonam) Limited,

Periyamilaguparai,

Trichy-1.



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M.DHANDAPANI, J.

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