



W.P(MD)No.21474 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.21474 of 2026

and

WMP (MD) No.15989 of 2026

The Management
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Karaikudi Region,
Kovilur Salai, Managiri Post
Karaikudi – 620 307.

... Petitioner(s)

vs.

The Secretary,
Tamil Nadu Arasu Pokkuvarathu Kazhaga
Thozhilalar Podhu Nala Amaippu Sangam,
(Reg No. 161/svg/2019),
Sivagangai - 630 561.

... Respondent(s)

PRAYER: Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorari, calling for the records on the files of the Honble Labour Court, Madurai (Karaikudi Camp Court) pertaining to its proceedings in ID No. 17 of 2021 dated 07.02.2025 and quash the same.

For Petitioner : Mr. Herold Singh



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ORDER

This writ petition has been filed by the petitioner/Management challenging the award dated 07.02.2025 passed by the Labour Court, Madurai (Karaikudi Camp Court).

2. By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself. Since no adverse order is going to be passed, notice to the respondent is dispensed with.

3. The learned counsel appearing for the petitioner Corporation submitted that the respondent was employed as a Conductor in the petitioner Corporation and was actively involved in trade union activities. In order to improve fuel efficiency, the petitioner Corporation had engaged a Junior Engineer to advise the drivers regarding diesel economy. Accordingly, the Junior Engineer instructed the drivers to maintain an average fuel efficiency of six kilometres per litre. It is the case of the petitioner Corporation that the respondent, being aggrieved by the instructions issued by the Junior Engineer, threatened him while he was discharging his official duties. Based on the complaint lodged by the



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Junior Engineer, disciplinary proceedings were initiated against the respondent. A charge memo was issued and after considering the explanation submitted by the respondent, a second show cause notice was issued. Thereafter, by proceedings dated 17.05.2019 the disciplinary authority imposed the punishment of stoppage of one increment for a period of three months with cumulative effect. Aggrieved by the said punishment, the respondent raised an industrial dispute before the Industrial Tribunal in the year 2021, challenging the punishment imposed in the year 2019. The Industrial Tribunal, by its award dated 07.02.2025, set aside the punishment on the sole ground that no domestic enquiry had been conducted before imposing the punishment.

4. The learned counsel for the petitioner Corporation further submitted that the punishment imposed on the respondent is only a minor punishment and that the disciplinary authority was well within its powers to pass the impugned order after considering the respondent's explanation. Therefore, the Labour Court was not justified in interfering with the punishment merely on the ground that no enquiry had been conducted. Accordingly, he prayed for allowing the Writ Petition by setting aside the award passed by the Industrial Tribunal.



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5. Heard the learned counsel appearing for the petitioner Corporation and perused the materials available on record.

6. The only contention advanced by the learned counsel for the petitioner Corporation is that the punishment imposed on the respondent is only a minor punishment and therefore, it was not necessary to conduct a domestic enquiry before imposing the same. This contention cannot be accepted. It is well settled that whenever the disciplinary authority proposes to impose a punishment founded on disputed questions of fact involving allegations of misconduct, adherence to the principles of natural justice is the *sine qua non*. A domestic enquiry affords the delinquent employee a reasonable opportunity to defend himself by cross-examining the witnesses, producing evidence in support of his defence and establishing his innocence. Merely issuing a charge memo, obtaining an explanation and issuing a second show cause notice cannot be treated as a substitute for a regular domestic enquiry when the allegations are denied by the delinquent.

7. In the present case, the punishment has been imposed on the



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allegation that the respondent/union member threatened the Junior Engineer while he was discharging his official duties. Therefore, before arriving at a finding of guilt, the disciplinary authority ought to have conducted a domestic enquiry. In the absence of such an enquiry, the disciplinary authority could not have concluded that the charge stood proved and imposed punishment, notwithstanding the fact that the punishment imposed is a minor one. Therefore, this Court does not find any perversity in the impugned award warranting interference of this Court.

8. Accordingly, the Writ Petition fails and the same is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

29.07.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes
PKN

To

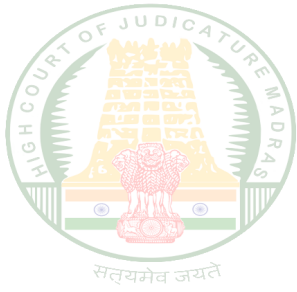
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M.DHANDAPANI,J.

PKN

**ORDER MADE IN
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