



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 05.02.2018
CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
W.P. (MD)No.22560 of 2016
and
W.M.P. (MD) No.16143 of 2016

WEB COPY

The Management,
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Virudhunagar Region (Madurai)
Virudhunagar.

... Petitioner

Vs.

1. The Presiding Officer,
Labour Court, Madurai.

2. R.Ramesh

...Respondents

Prayer: This writ petition is filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, to call for the records of the 1st respondent's order in I.D.No.49/2012 dated 20.01.2015 and quash the same.

For petitioner : Mr.A.Jeyaram

For Respondents : Mr.S.Govindan for R2
Labour Court -R1

ORDER

The second respondent is employed in TNSTC, Virudhunagar Region. The second respondent appears to have committed some misconduct. After holding domestic enquiry and finding that the charges were proved, the management imposed the punishment of stoppage of increment for a period of two years with cumulative effect. The said punishment was questioned by the second respondent by filing an appeal before the Managing Director, who reduced the stoppage of increment for a period of 1-1/2 years with cumulative effect. The same was agitated by the employee before the Labour Court by raising an industrial dispute in I.D.No.49 of 2012 before the Labour Court, Madurai. The Labour Court exercising its power under Section 11(A) of the Industrial Disputes Act, interfered with the quantum of punishment and held that instead of imposing punishment with cumulative effect, it can be modified into one without cumulative effect. The same is challenged in this writ petition.



2.This Court is of the view the award passed by the Labour Court in a matter of this nature need not be interfered with. It is not the case of the management that the discretion of the Labour Court has been perversely exercised. Therefore, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

The Presiding Officer,
Labour Court, Madurai.

+1cc to Mr.S.Govindan, Advocate Sr.No.46294

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VB/KK/SAR2/20.02.2018/2P/3C

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