

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.02.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.3192 of 2021

P.Saravanan

...Petitioner

vs

1. The Managing Director,
Tamil Nadu State Transport Corporation
(Coimbatore) Ltd.,
Erode Zone, Erode-1.

2. The General Manager,
Tamil Nadu State Transport Corporation
(Coimbatore) Ltd.,
Erode Zone, Erode-1.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorari calling for the records relating to the impugned proceedings in Pa.No.1/D1/F68 AB/Sattam/Koo/Ema/2017, dated 10.08.2020 on the file of the 2nd Respondent herein and as confirmed by the proceedings in Pa.No.1/D1/F68 AB/Sattam/Ema/2017, dated 07.11.2020 on the file of the 1st Respondent herein, quash the same.

For Petitioner : Mr.K.Govi Ganesan
For Respondents : Mr.A.Sundaravadanan

O R D E R

Petitioner has come up with this Writ Petition seeking to quash the impugned proceedings dated 10.08.2020 passed by the 2nd Respondent vide Pa.No.1/D1/F68 AB/Sattam/Koo/Ema/2017, as confirmed by the proceedings dated 07.11.2020 passed by the 1st Respondent vide Pa.No.1/D1/F68 AB/Sattam/Ema/2017.

2. Heard the learned counsel on either side and perused the material documents available on record.

3. It is seen that, the Petitioner, who was working as a Conductor under the Respondents herein, was imposed with the punishment of stoppage of increment for a period of three years with cumulative effect, after detailed enquiry. Whether the enquiry conducted is fair or not and whether the punishment

imposed can be interfered with or not, has to be decided only by the appropriate Labour forum. Since there is disputed question of fact, this Court is not inclined to grant the relief sought for by the Petitioner.

4. Accordingly, this Writ Petition stands dismissed. However, it is open to the Petitioner to approach the appropriate Labour forum within the time prescribed under the Industrial Disputes Act, 1947. No costs. Consequently, connected W.M.P.No.3621 of 2021 is closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

(aeb)

To:

1. The Managing Director,
Tamil Nadu State Transport Corporation
(Coimbatore) Ltd.,
Erode Zone, Erode-1.
2. The General Manager,
Tamil Nadu State Transport Corporation
(Coimbatore) Ltd.,
Erode Zone, Erode-1.

+1cc to Mr.K.Govi Ganesan, Advocate, S.R.No.9089

W.P.No.3192 of 2021

PL(CO)
KKV/11/03/2021

सत्यमेव जयते

WEB COPY