

HON'BLE SRI JUSTICE J. SREENIVAS RAO

WRIT PETITION NO.16487 OF 2005

ORDER:-

Heard Sri. A. Saidulu, learned counsel appearing on behalf of Sri P. Giri Krishna, learned counsel for the petitioner and Sri Gaddam Srinivas learned counsel for the 2nd respondent corporation TSRTC.

2. The petitioner filed this writ petition under Article 226 of Constitution of India seeking the following relief :

"....to issue a writ of Certiorari calling the records in I.D. No.186/1997 on the file of Industrial Tribunal-cum-Labour Court, Godavarikhani and quash the award dated 17.10.2000 which was published by G.O.Rt.No.2747, dated 26.12.2000 and Notification dated 20.01.2001 in the Labour Court in confirming the termination of the petitioner as arbitrary, illegal and against the principles of natural justice and consequently direct the respondents to reinstate the petitioner into service with full back wages and all other attendant benefits".

3. The learned counsel for the petitioner submits that the petitioner worked as Conductor in APSRTC in 2nd respondent depot while he was on duty on 28.06.1997 TTIs have exercised surprise check at stage No.10/11 . The TTIs have alleged that

the petitioner collected fare of Rs.4.50 each from 6 passengers and issued unpunched tickets and not accounted the tickets in the S.R. Basing on the said complaint, the 2nd respondent issued a charge sheet dated 11.07.1997 and passed the removal order removing the petitioner from services on 03.12.1997. Questioning the same the petitioner filed I.D. No. 186 of 1997 on the file of Industrial Tribunal-cum-Labour Court at Godavarikhani. The learned counsel for the petitioner further contended that the labour Court without considering the contentions raised by the petitioner dismissed the I.D. No.186 of 1997 by its award dated 17.10.2000. The award passed by the labour Court is contrary to law.

4. On the other hand, the learned counsel for the 2nd respondent contended that the respondent corporation after following the due procedure as contemplated under regulations and also after giving reasonable opportunity to the petitioner passed the removal order on 03.12.1997. The labour Court also after considering the entire evidence produced by the respondent Corporation Exs.M.1 to M.21 and after hearing the parties passed the impugned award on 17.10.2000 holding that the respondents corporation rightly removed the petitioner from services and there is no illegality and irregularity in the impugned award passed by the labour Court.

5. Having regard to the rival contentions and material placed on records, this Court finds that the labour Court after considering the contentions raised by the petitioner as well as respondent corporation and also after examining the evidence Exs.M.1 to M.21 passed the award dismissing I.D. No. 186 of 1997 upholding the removal order passed by the 2nd respondent.

6. In view of the reasons assigned by the labour Court in the impugned Award, the petitioner is not entitled any relief much less the relief sought in this writ petition to invoke the jurisdiction of this Court under Article 226 of Constitution of India. Accordingly, the writ petition is dismissed.

7. However, the respondent No.2 is directed to pay terminal benefits to the petitioner if any due within a period of 8 weeks from the date of receipt of copy of this order if not already paid.

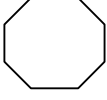
8. Accordingly the writ petition is dismissed without costs.

Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.

J. SREENIVAS RAO, J

Dt. 29-10-2022
skj

HON'BLE SRI JUSTICE J. SREENIVAS RAO



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Date : 29-10-2022.

Skj.

