



W.P. No.3307 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2023

CORAM :

THE HONOURABLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.3307 of 2012

and

W.M.P.No.1 of 2012

- 1.The Director of Postal Services,
Tamil Nadu Circle, Dept. of Post,
Chennai City Region,
Chennai-600 002.
- 2.The Senior Superintendent of Post Offices,
Dept. Posts, Sub-Division,
Chennai City South Division,
T.Nagar,
Chennai – 600 017.
- 3.The Principal of Master General,
(TN Circle),
Dept. of Posts & Telegraphs
Anna Road,
Chennai-600 002.
- 4.The Post Master,
Dept. of Post, Saidapet Post Office,
Saidapet,
Chennai-600 015.

... Petitioners

Vs.

1.Chandrika



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2.M.Kousalya

3.The Presiding Officer,
Central Government Industrial
Tribunal-cum-Labour Court
Chennai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorari, calling for the records of the Central Government Industrial Tribunal-cum-Labour Court, Chennai in I.D.No.30 of 2008 dated 14.07.2011 and quash the same.

For Petitioners : Mr.V.Balasubramanian

For Respondents : NoAppearance.

ORDER

This writ petition has been filed questioning the award dated 14.07.2011, passed by the Central Government Industrial Tribunal-cum-Labour Court, Chennai in I.D.No.30 of 2008.

2. The husband of the respondent No.1 herein, namely Sri R.Meignanamurthy, was working as Postman with the petitioners' herein and on finding certain misconduct on the part of the said Postman, disciplinary proceedings were initiated, resulting in imposing the punishment of



compulsory retirement. Aggrieved by the said punishment, the Postman raised a dispute which was taken on record as I.D.No.30 of 2008 and the same was disposed of, by passing the impugned award dated 14.07.2011 by recording the finding that the punishment that was imposed on the Postman concerned was disproportionate and the same was modified by the learned labour Court.

3. During the pendency of the said dispute before the learned labour Court the workman died and consequently, the respondents 1 and 2 herein, being the legal heirs of the deceased Postman, were brought on record. Aggrieved by the said award dated 14.07.2011, the present writ petition is filed by the petitioners' herein.

4. When the matter is taken up for consideration, the learned counsel for the petitioners submitted that the respondent No.1 herein, who is the wife of the deceased workman, is being paid the family pension at the rate of Rs.13,140/- with effect from 01.01.2016 and she is receiving the same as on date. There is no representation for the respondents.



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5. This Court, have thoroughly gone through the award passed by the learned labour Court and after going through the same, is convinced that the learned labour Court is very much justified in modifying the punishment of compulsory retirement and directing to reinstatement of the deceased workman, while imposing lesser punishment. The scope of interference into the awards passed by the learned labour Court, in exercise of certiorari jurisdiction of this Court, is very limited and it is only in rarest of rare case, where there is an error apparent on the face of the record or where the finding recorded by the learned labour Court is perverse, this Court, can interfere in such matters. In the instant case, this Court does not find any such infirmities in the impugned award. However, taking into consideration the fact that the workman is no more and the wife of the workman is already being paid the family pension, this court, is not inclined to interfere with the impugned award.



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6. Accordingly, this writ petition is dismissed. Consequently,
connected miscellaneous petition is closed. No Costs.

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Index : Yes/No
Speaking Order : Yes/No
dpa

To:

The Presiding Officer,
Central Government Industrial
Tribunal-cum-Labour Court
Chennai.



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MUMMINENI SUDHEER KUMAR,J.

dpa

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and
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