



W.P(MD)No.4917 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.03.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.4917 of 2023

and

W.M.P.(MD)No.4603 of 2023

The Management,
Tamil Nadu State Transport Corporation (Tirunelveli) Limited,
Madurai Division-II,
Vannarpettai,
Tirunelveli District.

... Petitioner

Vs.

General Secretary,
Nellai District Transport Employees Union (CITU),
In front of State Transport Corporation Headquarters,
Tirunelveli.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records relating to the impugned order passed by the Labour Court, Tirunelveli, dated 06.02.2016 passed in I.D.No.63 of 2014 and quash the same.

For Petitioner : Mr.R.Rajamohan



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ORDER

Heard the learned standing counsel appearing for the petitioner corporation.

2. The challenge is in respect of the impugned award passed by the Labour Court.

3. The learned standing counsel reiterated all the contentions set out in the affidavit filed in support of the writ petition.

4. The delinquent employee was charged with reckless and negligent driving and deviation from the permitted route. He is said to have caused fatal accident. After conducting domestic enquiry, the Management imposed punishment of stoppage of increment for five years with cumulative effect. The Union took up the cause of the employee. The Labour Court by the impugned order modified the same and reduced it into stoppage of increment for three years with cumulative increment. Questioning modification and reduction, this writ petition came to be filed.

5. The learned standing counsel would point out that the very same employee had earlier caused three other accidents one of which was fatal in nature.

6. I find considerable force in the contention advanced by the learned counsel appearing for the petitioner. However, I am not inclined to interfere for



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the only reason that the challenge has been mounted after a lapse of full seven years. The impugned award was passed on 06.02.2016. This Writ Petition has been filed on 06.03.2023. Even though the Management has an excellent case on merits, only for the reason that the writ petition is hit by laches, I am constrained to dismiss it.

7. The Writ Petition is accordingly dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

07.03.2023

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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