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W.A.No.2908 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR. JUSTICE C.KUMARAPPAN

W.A.No.2908 of 2024
and C.M.P.No.21488 of 2024

The Management,
Tamil Nadu State Transport Corporation,
(Villupuram) Ltd., Vellore Region,
Rangapuram, Vellore-632 009
Rep. by its General Manager

... Appellant

Vs.

1.The Presiding Officer,
Principal Labour Court,
Vellore.

2.K.B.Thanigaivelan

... Respondents

PRAYER: Appeal is filed under Clause 15 of the Letters Patent for issuance of a Writ of Certiorari, praying to set aside the order in W.P.No.18122 of 2013 dated 09.06.2023.

For Appellant : Mr.T.Chandrasekaran

For Respondents : Mr.K.M.Ramesh
Senior Counsel for
Mr.S.Apunu for R2

R1-Labour Court



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JUDGEMENT

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(Judgement of this Court was delivered by M.S.RAMESH.J)

The charge against the second respondent was that he had not maintained engine oil flexible pipe in a bus belonging to the appellant corporation, resulting in a brake down of the bus. On the strength of the proven charges, a punishment of stoppage of increment for 2 years with cumulative effect was imposed against the second respondent by the appellant corporation. When the punishment was challenged before the Labour Court, Vellore in I.D.No.24 of 2010, the Labour Court had set aside the punishment through its award dated 05.05.2011. The further challenge to the award before the learned Single Judge of this Court in W.P.No.18122 of 2013 was also dismissed, which order is assailed before us.

2. Heard Mr.T.Chandrasekaran, learned counsel for the appellant and Mr.K.M.Ramesh, Senior Counsel appearing for the second respondent.

3. A perusal of the order of the Writ Court would reveal that the learned Single Judge had taken into consideration of the evidence let in by



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the appellant corporation before the Labour Court and the conclusion arrived at therein that it was one Sagadevan, Technician, who was responsible for the delinquency and not the second respondent herein. The Writ Court had also taken note of the fact that the other workman, who was imposed to the punishment, had not challenged the punishment but had chosen to undergo the same. Since it was found that the award of the Labour Court was based on the materials before it, the learned Single Judge had dismissed the Writ Petition.

3. We do not find any perversity or other illegality in the order passed in the Writ Petition. Accordingly, the Writ Appeal stands dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

[M.S.R., J] [C.K., J]

30.09.2024

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

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M.S.RAMESH, J.
and
C.KUMARAPPAN, J.

Anu

To

The Presiding Officer,
Principal Labour Court,
Vellore.

W.A.No.2908 of 2024
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