



WEB COPY



W.A.No.1748 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2024

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR. JUSTICE K.RAJASEKAR

W.A.No.1748 of 2023

T.K. Ravi

... Appellant /petitioner

Vs.

1. The Presiding Officer,
Labour Court, Salem-7.

2. The Management,
Tamil Nadu state Transport Corporation(Kovai)Ltd.,
rep.by its Managing Director, (Erode Division),
Chennimalai Road, Erode.

... Respondents/Respondents

Prayer :- Writ Appeal filed under Clause 15 of Letters Patent, praying to
set aside the order dated 03.01.2023 made in WP.No. 7969 of 2015.

For Appellant : Ms.M.Adhishree

For Respondents : R1-Labour Court ;

Mr.M.Murali Vinodh (for R2).



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J U D G E M E N T

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(Judgement of the Court was delivered by S.M.Subramaniam J.)

The order order dated 03.01.2023 made in W.P.No. 7969 of 2015 is under challenge in the present writ appeal.

2. The writ petition was been instituted challenging the award passed in I.D.No. 11 of 2008, which was dismissed by the Labour Court.

3. The writ petitioner workmen is the appellant before us. The appellant was employed as Junior Assistant in Tamil Nadu State Transport Corporation (Kovai) Ltd. The appellant was terminated from service based on the order of conviction passed by the Criminal Court of law in S.C.No.4 of 1991, on the file of the Principal Sessions Court, Erode.

4. The Criminal Appeal No.327 of 1991, filed by the appellant, was dismissed by the High Court. Thus, the conviction was confirmed. The appellant was convicted for the offence under Section 302 IPC and sentenced to undergo 7 years rigorous imprisonment. That being the case the, Writ Court has rightly dismissed the writ petition seeking the relief of reinstatement by the appellant employee.



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5. An employee who is convicted in a criminal case is not entitled for reinstatement. If at all, any contribution of the appellant remains with the Tamil Nadu State Transport Corporation (Kovai) Ltd., the same alone is to be settled as per Rules.

6. Thus, with the above directions, the writ appeal stands dismissed.

No costs.

(S.M.S.J.,)

(K.R.S.J.,)

28.03.2024

Index : Yes/No

Internet: Yes/No

Speaking order/Non-Speaking order

Neutral Citation : Yes/No

(sha)

To

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S.M.SUBRAMANIAM, J.

and

K.RAJASEKAR, J.

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