



W.P.No.11710 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.04.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.11710 of 2025

S.S.Sivaraman Driver

...Petitioner

Vs.

1. The General Manager,
Tamil Nadu State Transport Corporation (Kovai) Ltd,
Erode Region, Chennimalai Road,
Erode – I.

2. The Special Joint Commissioner of Labour,
Chennai – 6.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to implement the award passed by the Special Joint Commissioner of Labour in A.P.No.135 of 2019 dated 20.10.2021 by considering the representation by the petitioner dated 15.03.2025.

For Petitioner : Mr.V.S.Jagadeesan

ORDER

This Writ petition has been filed seeking to implement the award passed by the Special Joint Commissioner of Labour in A.P.No.135 of 2019 dated 20.10.2021 by considering the representation made by the petitioner dated 15.03.2025.



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WEB COPY 2. Since no adverse order is being passed against the respondents, notice to the respondents is dispensed with.

3. The case of the petitioner is that the petitioner is an employee of Tamil Nadu State Transport Corporation (Kovai) Ltd., Erode Region and he was charge sheeted for the charges of long absence from duty from 18.12.2011. After conducting enquiry, the charges levelled against the petitioner have been proved guilty. Thereafter, he was dismissed from service on 26.08.2019. Subsequently, the respondent Corporation had filed a petition before the second respondent for approval of the dismissal of the workman under Section 33 (2) (b) of the Industrial Dispute Act, 1947 in A.P.No.135 of 2019 and the same was dismissed vide order dated 20.10.2021 directing the respondent Corporation to reinstate the petitioner in service with continuity of service along with backwages and all other attendant benefits. Seeking to implement the said order, the petitioner made a representation dated 15.03.2025 before the first respondent. However, the same was not considered. Hence the present writ petition has been filed.



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4. Though very many grounds have been raised in this writ petition, learned counsel for the petitioner submitted that, it would suffice, if this Court issues a direction to the first respondent to implement the order passed by the second respondent dated 20.10.2021 by considering the petitioner's representation dated 15.03.2025 and pass appropriate orders, within a time frame that may be stipulated by this court.

5. Heard the learned counsel for the petitioner and perused the materials placed on record.

6. Considering the limited request made by the learned counsel for the petitioner, this court, without going into the merits of the case, directs the first respondent to implement the order passed by the second respondent in A.P.No.135 of 2019 dated 20.10.2021 if there is no legal impediment within a period of eight (8) weeks from the date of receipt of a copy of this order.

M.DHANDAPANI., J.



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7. With the above direction, this writ petition is disposed of. No costs.

02.04.2025

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Speaking Order : Yes/ No
Index : Yes/ No
NCC : Yes/ No

To

1. The General Manager,
Tamil Nadu State Transport Corporation (Kovai) Ltd,
Erode Region, Chennimalai Road,
Erode – I.
2. The Special Joint Commissioner of Labour,
Chennai – 6.

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