



WEB COPY



W.A.No.1999 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

W.A.No.1999 of 2022
and C.M.P.No.14908 of 2022

The Managing Director,
Tamil Nadu State Transport Corporation
(Salem Limited),
Dharmapuri Zone, Bharathipuram,
Dharmapuri – 636 705.

... Appellant

Vs.

1.The State General Secretary,
Tamil Nadu Workmen Grievance
Redressal Trade Union,
173B, 6th Street,
Erode – 638 012.

2.D.Narasimman

... Respondents

[R2 impleaded vide order dated 23.03.2021 made in WMP.No.1487 of 2021 in WP.No.20861 of 2018 by MGRJ]

Prayer: Writ Appeal filed under Clause 15 of Letters Patent, seeking to set aside the order dated 22.06.2021 passed by the Hon'ble Judge in WP.No.20861 of 2018.



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For Appellant : Mr.T.Chandrasekar,
Special Government Pleader
assisted by Mr.K.Raja,
Standing Counsel

For R1 : Mr.G.Ameedius,
Government Advocate

For R2 : Mr.R.Dilli Kumar

ORDER

(Order of the Court was made by *M.S.RAMESH, J.*)

The main contention of Mr.T.Chandrasekar, learned Special Government Pleader appearing for the appellant is that the second respondent herein had already claimed and obtained compensation before the Motor Accident Claims Tribunal (hereinafter referred to as MACT) in M.C.O.P.No.331 of 2004 dated 29.09.2004 and since one of the heads under which he had received the compensation, was towards loss of income, he is not entitled to claim backwages before the Industrial Tribunal.

2. The Tribunal, in its Award dated 03.04.2017 passed in I.D.No.115 of 2013, had held that though such compensation was received before the



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MACT, the present dispute was only with regard to the monetary loss sustained by the second respondent herein, for not being given the alternate employment under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995. This loss has been computed by the Labour Court in its Award and accordingly, compensation was awarded. Such loss owing to not being provided with alternate employment, cannot be equated to one that of loss of income, as ordered by MACT and hence, we do not endorse the grounds raised by the appellant herein. As such, there are no merits in this appeal.

3. Accordingly, the Writ Appeal stands dismissed. No costs. Connected miscellaneous petition is closed.

4. Ms.Pradeepa, Advocate, appears before us today and submitted her apology. We are inclined to accept the same and accordingly, all the adverse remarks in our earlier order dated 06.11.2025, shall stand expunged.

[M.S.R, J.]

[R.S.V, J.]

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Index: Yes/No
Speaking order/Non-speaking order
Neutral Citation: Yes/No

Sni

M.S.RAMESH, J.
and
R. SAKTHIVEL, J.

Sni

To

The State General Secretary,
Tamil Nadu Workmen Grievance
Redressal Trade Union,
173B, 6th Street,
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