

WEB COPY

WP.No.18663 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.18663 of 2025

and

W.M.P.No.20895 of 2025

The Management of
Tamilnadu Transport corporation
(Coimbatore) Ltd
No.37, Mettupalayam Road
Coimbatore - 641 043

... Petitioner

Vs.

V Govindarajasekar

... Respondent

Prayer :- Writ Petition is filed under Article 226 of the Constitution of India to call for the records relating to the Award in C.P.No.116 of 2017 dated 10-01-2024 passed by the Presiding Officer, Principal Labour Court, Coimbatore, and QUASH the same.

For Petitioner : M/s.T.Chandrasekaran

ORDER

Challenging the award passed by the Presiding Officer, Principal Labour Court, Coimbatore in CP.No.116 of 2017, the petitioner has filed this Writ Petition seeking issuance of a writ of certiorari to quash the said order.



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2. The facts which have culminated in the filing of the Writ Petition are as follows:-

3. The Writ Petitioner is the Management of the Tamil Nadu Transport Corporation (Coimbatore) Limited. The respondent was employed as a driver in the petitioner management in its MTP-1 Branch. On 13.03.2012, while he was plying vehicle bearing No.T.N-38-N-1798 between Gandhipuram to Mettupalayam he had caused a fatal accident by hitting a pedestrian who was walking on the left hand side of the road. The victim who had sustained grievous injuries died in the hospital. An FIR was filed against the respondent and after conducting a domestic enquiry he was dismissed from service with effect from 18.03.2012.

4. The petitioner had thereafter filed an application under Section 33(2)(b) of the Industrial Disputes Act, 1947 seeking an approval of the order of dismissal before the Special Deputy Commissioner of Labour, Chennai. The said petition was numbered as

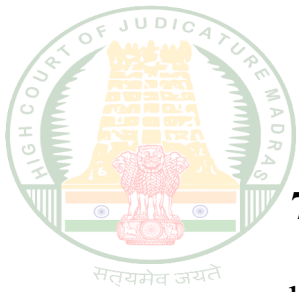


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A.P.No.352/2013. The said petition was dismissed by order dated 20.02.2017. This order was challenged by the Writ Petitioner in W.P.No.20818 of 2017. In the said Writ Petition the Writ Petitioner had filed WMP.No.21674 of 2017 for stay. By order dated 04.08.2017, an interim stay was granted on condition to deposit 25% of the award amount. As clarification was required with reference to the award amount, the petitioner had not complied with the said order.

5. Meanwhile, the respondent had filed CP.No.116 of 2017 before the Labour Court, Coimbatore claiming wages of a sum of Rs.9,71,000/- for the period 01.01.2014 to 30.04.2017 as the Approval Petition was rejected.

6. Ultimately, the Writ Petition was dismissed on 21.08.2023. Aggrieved by the same the petitioner had filed a Writ Appeal in W.A.Sr.No.12431 of 2024 along with a petition to condone the delay in CMP.No.18832/2024. In the condone delay petition notice has been ordered.



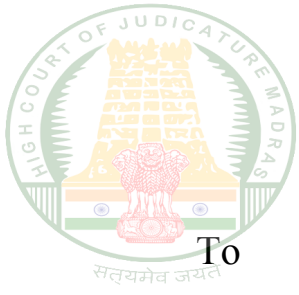
7. Heard the learned counsel for the petitioner and perused the records.

8. Considering the fact that the challenge to the original Approval Petition in A.P.No.352/2013 was dismissed in W.P.No.20818 of 2023 on 21.08.2023 and also taking into account the fact that the petitioner had participated in C.P.No.116 of 2017 filed by the respondent, which was allowed after contest, this Writ Petition lacks merit and is liable to be dismissed.

9. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

05.06.2025

(shr)
Index : Yes/No
Speaking Order: Yes/No
Neutral Citation : Yes/No



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To

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Coimbatore.

2.The Management of
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P.T. ASHA. J.,

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