



WEB COPY



W.A.No.3320 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE V. LAKSHMINARAYANAN

W.A.No.3320 of 2025

and

C.M.P.No.27144 of 2025

The Management,
Tamil Nadu State Transport Corporation
(Villupuram) Limited,
Thiruvallur Division,
Thiruvallur.

...Petitioner

Vs

S.K.Munusamy

...Respondent

Prayer: Writ Petition filed under Clause 15 of the Letters Patent to set aside the order passed in W.P.No.25096 of 2019 dated 08.08.2024.



WEB COPY



W.A.No.3320 of 2025

For Petitioner : Mr.T.Chandrasekaran



W.A.No.3320 of 2025

JUDGMENT

(Judgment of the Court was delivered by *M.S.RAMESH, J.*)

Heard Mr.T.Chandrasekaran, learned counsel for the appellant. In view of the order to be passed in this Writ Appeal, no prejudice would be caused to the respondent and hence, notice to the respondent is dispensed with.

2. The charge framed against the respondent herein, alleging him of having caused a fatal accident due to rash and negligent riding, was proved in the domestic enquiry. The punishment of dismissal from service dated 02.06.2017 was challenged by him before the I Additional Labour Court, Chennai, in I.D.No.84 of 2018. Through an Award dated 03.10.2018, the punishment of dismissal was modified to postponement of annual increment for a period of three years with cumulative effect, together with a direction to reinstate him with continuity of service and 50% of back wages. When the Award of the Labour Court was put to challenge in



W.A.No.3320 of 2025

W.P.No.25096 of 2019 before this Court, the learned Single Judge had

WEB COPY

further modified the Award by confirming the punishment of postponement of annual increment for a period of three years with cumulative effect and reinstatement, but had set aside the direction for payment of 50% of the back wages, through the order dated 08.08.2024. The Management has challenged the order passed in the Writ Petition before us.

3. The learned counsel for the appellant submitted that the Writ Court had taken into consideration all the previous fatal accidents caused by the respondent herein and thus ought not to have modified the punishment of dismissal. It is also his contention that though the Labour Court, as well as the learned Single Judge, had recorded that there was contributory negligence on the part of the respondent herein, it should not have interfered with the punishment of dismissal from service.

4. The Labour Court, on the strength of the oral and documentary



W.A.No.3320 of 2025

evidences before it, had rendered a finding that there was contributory negligence on the part of the two wheeler rider, wherein three persons were traveling in the said two wheeler and the vehicle was driven by a minor. In view of the negligence attributed on the side of the victim also, the Labour Court had come to the conclusion that the punishment of dismissal was highly excessive and accordingly had modified the punishment. The learned Single Judge, while passing orders in the Writ Petition, had also taken note of this factor of contributory negligence. However, the Award of the Labour Court, granting 50% of the back wages, was set aside. Though no specific reasons have been assigned by the Writ Court for withdrawing the 50% of the back wages, the respondent has not preferred any appeal against such total denial of back wages.

5. It is not the case of the appellant that the Award of the Labour Court was not passed based on any evidences and in the absence of any perversity, the Writ Court had rightly confirmed the major portion of the



W.A.No.3320 of 2025

Award with regard to reinstatement and modification of the punishment. In

WEB COPY

our view, the Writ Court had rightly appreciated the factual and legal aspects of the case before it and had passed the impugned order.

6. We find no reasons to entertain this Writ Appeal and accordingly, the same stands dismissed at the admission stage itself. No costs. Consequently, connected civil miscellaneous petition is closed.

[M.S.R, J.] [V.L.N, J.]
07.11.2025

Index: Yes/No

Speaking order/Non-speaking order

hvk



WEB COPY



W.A.No.3320 of 2025

M.S.RAMESH,J.

AND

V.LAKSHMINARAYANAN,J.

hvk

W.A.No.3320 of 2025



WEB COPY



W.A.No.3320 of 2025

07.11.2025