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W.P.No.22378 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.22378 of 2019

And

W.M.P.No.21705 of 2019

The Management
Metropolitan Transport Corporation
(Chennai) Ltd.,
Pallavan Illam,
Anna Salai,
Chennai – 600 002.

... Petitioner

Vs.

R.Sri Ramulu
Rep. by the General Secretary,
State Transport Employees Union

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records pertaining to the order passed in I.D.No.132 of 2018 dated 26.03.2019 on the files of the Ist Additional Labour Court, Chennai and quash the same.

For Petitioner : Mr.C.Gauthamaraj
For Respondent : Mr.ST.Varadarajulu

O R D E R

The petitioner has filed this writ petition seeking issuance of

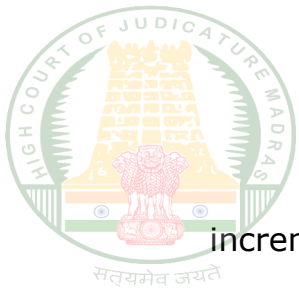


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Writ of Certiorari calling for the records pertaining to the order passed in I.D.No.132 of 2018 dated 26.03.2019 on the files of the 1st Additional Labour Court, Chennai and quash the same.

2.The case of the petitioner is that on 30.12.2008 the respondent R.Sri Ramulu was the driver of bus route no.119F plying from Guindy to Semancheri and the bus dashed on a pedestrian and the man died, thereby enquiry was conducted and after enquiry, the said R.Sri Ramulu was imposed with the punishment of postponement of two increments with cumulative effect and aggrieved by the same, he raised industrial dispute and the Labour Court vide impugned order set aside the punishment. Challenging the same, the petitioner has filed this writ petition.

3.The learned counsel appearing for the petitioner submitted that the respondent committed fatal accident and the petitioner Corporation has to pay huge compensation to the deceased person, for which disciplinary proceeding was initiated and after enquiry, the respondent was imposed with the punishment of postponement of three increments with cumulative effect and he made appeal and the punishment was subsequently reduced to postponement of two



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increments with cumulative effect, however, the Labour Court set aside the punishment, which is not sustainable one.

4.The learned counsel appearing for the respondent submitted that the enquiry report clearly reveal that the deceased is the driver of a private lorry and he dashed against a motorcycle and committed a fatal accident, thereby the public chased him and the deceased made sudden cross after jumping over the median and dashed against the bus and the Labour Court after considering all the factual aspects, set aside the punishment, which warrants no interference.

5.Heard the arguments advanced on either side and perused the materials available on record.

6.Perusal of records reveal that the deceased is the driver of a private lorry and he dashed against a motorcycle and committed a fatal accident, thereby the public chased him and the deceased made sudden cross after jumping over the median and dashed against the bus and the Labour Court after considering all the factual aspects, set aside the punishment imposed on the respondent, which warrants no interference.



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M.DHANDAPANI,J.

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7.The writ petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

1.The I Additional Labour Court,
Chennai.

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