



W.P.No.31519 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2025

CORAM

THE HONOURABLE MS. JUSTICE P.T. ASHA

W.P.No.31519 of 2025

A.Balamurugan

...Petitioner

Vs.

1. The Labour Commissioner
Labour Commissionerate
DMS, Teynampet,
Chennai - 600 006.

2. The Joint Commissioner
Officer under Industrial Disputes Act,
Teynampet,
Chennai - 600 006.

3. The Administrative Director,
Tamil Nadu State Transport Corporation
Salem Ltd,
Salem - 636 007.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 3rd respondent to reinstate the petitioner in service with all benefits including salary in the light of the order passed by the 2nd respondent in A.P.No.05 of 2024 dated 16.10.2024 by disposing of the petitioner's representation dated 24.12.2024 within a time frame.



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For Petitioner : Mr.J.Vasanth

For Respondents : Mr.V.Jeevagiridharan,
Additional Government Pleader

ORDER

The writ petition is filed for the below relief:

"directing the 3rd respondent to reinstate the petition in service with all benefits including salary in the light of the order passed by the 2nd respondent in A.P.No.05 of 2024 dated 16.10.2024 by disposing of the petitioner's representation dated 24.12.2024 within a time frame."

2. The brief facts which has culminated in the filing of this writ petition are set out below:

2.1. It is the case of the petitioner that he was appointed as a driver in the Tamil Nadu State Transport Corporation, Salem Division on temporary basis in the year 2007. Subsequently in the year 2012, his service had been made permanent by the Authorities. Later, he had been placed as a senior driver. On 03.09.2023, he drove an AC bus with 30 passengers from Salem to Coimbatore. On the date of occurrence, it was alleged by the respondent that



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the petitioner was drunk and quarreled with the passengers. Due to this, departmental enquiry had been initiated against the petitioner and was suspended from service on 04.09.2023. After suspension, domestic enquiry was conducted on 16.10.2023 and the suspension was temporarily revoked. After revocation of suspension, charge memo had been served by the 2nd respondent on 27.09.2023. Domestic enquiry proceedings dated 31.01.2024 had been passed confirming the order of dismissal from service and forwarded to 1st respondent for approval.

3. Aggrieved by the domestic enquiry proceedings dated 31.01.2024, W.P.No.13774 of 2024 had been filed and the same was dismissed by this Court with a liberty to the petitioner to raise all his grounds in the pending proceedings before the Labour Commissioner. Pursuant to the said liberty, A.P.No.05 of 2024 had been filed by the petitioner before the Labour Commissioner. On perusal of all the records, the 2nd respondent passed an order dated 16.10.2024, refusing to grant approval for termination. On 24.12.2024, the petitioner had made a representation to reinstate him in service with all pay benefits. However the same was not considered by the



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respondent. Hence, the petitioner is before this Court.

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4. Heard the learned Counsels on either side and perused the records.

5. Considering the limited request of the petitioner and taking note of the fact that the petitioner's representation dated 24.12.2024 has not been considered to date by the Respondents, a mandamus, is therefore, issued to the 3rd Respondent to consider the petitioner's representation dated 24.12.2024 and to reinstate the petitioner in service with all benefits including salary in the light of the order passed by the 2nd respondent in A.P.No.05 of 2024 dated 16.10.2024 by disposing of the petitioner's representation dated 24.12.2024 within a period of two months from the date of receipt of a copy of this order.

6. Accordingly, this Writ Petition is allowed. There shall be no order as to costs.

22.08.2025

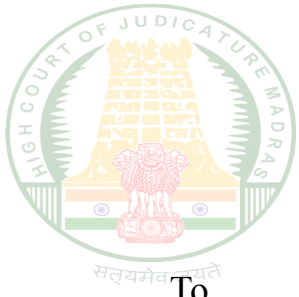
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Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order

Neutral Citation Case : Yes/No



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To
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