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W.P No. 32904 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2025

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THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P No. 32904 of 2023

and

WMP.No.32544 of 2023

The Management of
Tamil Nadu State Transport Corporation (Kovai) Ltd.,
No. 37, Mettupalayam Road,
Coimbatore -641043

..Petitioner

Vs

M. Gurusamy

..Respondent

Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of a Writ of Certiorari, calling for the records relating to the Award made in C.P.No. 22 of 2022 dated 20.06.2023 on the file of the Principal Labour Court, Coimbatore and quash the same and pass such further or other orders.

For Petitioner : Mr. T.Chandrasekaran

For Respondent : Ms. Nandhini. H

For M/s. N. Ajoy Khose



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ORDER

The captioned writ petition has been filed seeking the issuance of a writ of certiorari to quash the order dated 20.06.2023 passed by the Principal Labour Court, Coimbatore in C.P. No. 22 of 2022. By the said order, the Principal Labour Court allowed the application filed under Section 33(c)(2) of the Industrial Disputes Act, 1947 and directed the petitioner-management to pay a sum of Rs. 22,057/- along with interest at the rate of 6% per annum.

2. The respondent-workman was imposed with the punishment of suspension from service from 25.05.2015 to 16.06.2015, i.e., for a period of 23 days, and the said period was treated as punishment. Pursuant to the award passed by the Labour Court, the respondent was entitled to arrears of wages for the said period. However, the petitioner-management denied payment of those wages, which necessitated the respondent-workman to approach the Labour Court under Section 33(c)(2) of the Industrial Disputes Act, 1947.

3. Heard the submissions of the learned counsel for both parties and perused the materials placed on record.

4. Admittedly, the petitioner-management passed an order treating the



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period of suspension from 25.05.2015 to 16.06.2015 as punishment. The said order of punishment was challenged before the Labour Court in I.D. No. 52 of 2018, and the Labour Court, vide award dated 11.01.2021, set aside the order of punishment. The respondent thereafter filed a claim petition in C.P. No. 22 of 2022 under Section 33(c)(2) of the Industrial Disputes Act, 1947, and the Labour Court, by the impugned award dated 20.06.2023, directed the petitioner-management to pay a sum of Rs. 22,057/- together with interest at 6% per annum from the date of the claim petition. Further, a perusal of the records also clearly reveals that the petitioner-management did not adduce any evidence to disprove the claim of the respondent-workman before the Labour Court. The petitioner-management illegally denied the amount awarded by the Labour Court.

5. Considering the facts and circumstances of the case, this Court is of the view that the Labour Court had rightly exercised its jurisdiction under Section 33(c)(2) of the Industrial Disputes Act, 1947 and this Court finds no illegality or infirmity in the impugned award dated 20.06.2023 in C.P. No. 22 of 2022 passed by the Labour Court, and the writ petition is liable to be dismissed.



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6. Accordingly, the writ petition is dismissed. Consequently, the connected Miscellaneous Petition is closed. No costs. The petitioner-management is directed to comply with the directions issued by the Labour Court in the impugned order within a period of two (2) weeks from the date of uploading of this order copy on the official website of this Court.

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Index : Yes/No

Internet : Yes/No

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HEMANT CHANDANGOUDAR, J.

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