



W.P.No.6264 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.6264 of 2025

P.Stella

...Petitioner

Vs.

The Management of Coimbatore District
Central Co-operative Bank Limited,
No.80, Bank Road Post, Post Box No.3781,
Coimbatore-641 018.

...Respondent

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, to call for the records from the files of the Principal Labour Court, Coimbatore, in I.D.No.69 of 2015 and quash its impugned award made therein dated 30.03.2021, insofar as it has held that the negligence charge had been proved against the petitioner and denied 75% backwages to the petitioner.

For Petitioner : Mr.K.M.Ramesh



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Senior Counsel for
Mr.V.Subramani

ORDER

This writ petition has been filed seeking quashment of the award dated 30.03.2021 passed in I.D.No.69 of 2015 by the Principal Labour Court, Coimbatore, insofar as the Labour Court held that the negligence charge had been proved against the petitioner and thereby, denied to grant 75% of backwages.

2. The learned counsel appearing for the petitioner submits that the petitioner was working as Assistant-cum-Cashier in the respondent Bank and her continuous employment was not denied and she has also proved before the Labour Court that during her non-employment, she has not gainfully been employed anywhere and even thereafter, 75% of backwages was not granted by the Labour Court. Hence, the present writ petition has been filed.

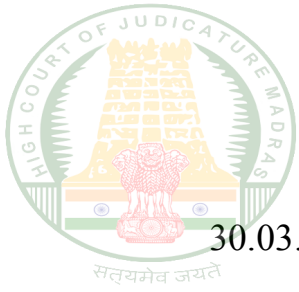
3. Heard the learned counsel appearing for the petitioner.



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4. It is seen from the records that the petitioner was working as Assistant-cum-Cashier in the respondent Bank and during the course of employment, she committed misconduct and thereby, she was issued with a charge memo. Thereafter, domestic enquiry was conducted and the Enquiry Officer has drawn a proven minute, on the basis of which, she was dismissed from service. Aggrieved by the same, she raised an industrial dispute in I.D.No.69 of 2015 before the Principal Labour Court, Coimbatore. The Labour Court, considering the materials available on record, held that though the petitioner has admitted the act of negligence, the punishment of dismissal was disproportionate to the negligence committed by her and thereby, set aside the order of dismissal dated 08.08.2014 and directed the respondent to reinstate the petitioner into service with continuity of service and pay 25% of backwages and all other attendant benefits to the petitioner from the date of dismissal till the date of reinstatement, however, denied 75% of backwages, since the petitioner has admitted her negligence. This Court is of the view that the denial of 75% of backwages would be a sufficient punishment for the negligence committed by the petitioner and finds no error or infirmity in the award dated 3/5



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30.03.2021 passed in I.D.No.69 of 2015 by the Principal Labour Court,

Coimbatore.

5. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs.

24.02.2025

ssb

NCC : Yes / No

Speaking Order : Yes / No

Index : Yes / No

To
The Management of Coimbatore District
Central Co-operative Bank Limited,
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M.DHANDAPANI., J.

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