



W.A.No.3513 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

and

THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

W.A.No.3513 of 2025

and C.M.P.No.28790 of 2025

The Management

Tamil Nadu State Transport Corporation

(Kumbakonam) Limited

Trichy Region

Thiruchirapalli 620 001

... Appellant

Vs.

1.T.Selvakumar

2.The Special Joint Commissioner of Labour

DMS Campus, Anna Salai

Chennai

... Respondents

Prayer: Writ Appeal filed under Clause 15 of Letters Patent, praying to

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allow the Writ Appeal and set aside the order dated 22.04.2025 passed by this Court in W.P.No.26621 of 2021.

For Appellant : Mr.M.Murali Vinodh

For Respondents : Mr.G.Ameedius
Government Advocate - R2

JUDGMENT

M.S.RAMESH, J.
and
R.SAKTHIVEL, J.

Admittedly, after passing the order of dismissal of the first respondent employee on 01.12.2018, the approval petition under Section 33(2)(b) of the Industrial Dispute Act, 1947, was filed after about three years viz. 12.04.2021.

2.Such an inordinate delay of three years in filing the approval petition is opposed in the well settled propositions in *Lalla Ram V.*



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D.C.M. Chemical Works Ltd. and Ors., reported in ***AIR 1978 SC 1004***,

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wherein, the Hon'ble Supreme Court, *inter alia*, had held that when the employer fails to simultaneously or within a reasonably short time file the approval petition, the punishment imposed cannot be legally sustained.

3.In this case, three years delay is inordinate in nature and there is absolutely no reason adduced to justify the delay either before the learned Single Judge or before this Court.

4.In the result, we do not find any grounds to interfere with the order passed in Writ Petition in W.P.No.26621 of 2021. Accordingly, the Writ Appeal stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[M.S.R, J.]

[R.S.V, J.]

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Index: Yes / No

Neutral Citation

Speaking / Non Speaking

To.

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