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W.A.(MD)NO.335 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

W.A.(MD)No.335 of 2023 AND

C.M.P.(MD)No.3617 of 2023

The Management,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Rep. by its General Manager,
Karaikudi Region,
Marudhupathi,
Karaikudi – 630 001.

... Appellant / Petitioner

Vs.

1. A.Jeyasankar

... Respondent No.1/Respondent No.1

2. The Presiding Officer,
Labour Court,
Madurai.

... Respondent No.2/Respondent No.2

Prayer: Writ Appeal filed under Clause 15 of Letters Patent, to set aside the order passed in W.P.(MD)No.9535 of 2014 dated 24.03.2022.

For Appellant : Mr.K.Ramaiah

For Respondents : Mr.S.M.Mohan Gandhi

* * *

**J U D G M E N T**

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(Order of the Court was delivered by G.R.SWAMINATHAN, J.)

Heard both sides.

2. The first respondent herein joined the appellant Corporation as Conductor in the year 1992. On 02.03.2005, when he was on duty on the route of Pattukottai-Rameswaram, the said bus in question was checked by the checking inspector. According to the checking inspector, even though the delinquent had collected ticket fare from four passengers to the tune of Rs.24/-, he did not issue tickets. Hence, charge memo was issued on 05.03.2005. Domestic enquiry was conducted. The enquiry officer concluded that the charges framed against the delinquent stood proved. Finally, the delinquent was dismissed from service. The delinquent raised industrial dispute and the same was taken on file by the Labour Court, Madurai in I.D.No. 179 of 2012. The Labour Court passed the award on 02.07.2012 holding that the punishment of dismissal has to be set aside. The reinstatement was also ordered without backwages.

3. Aggrieved by the same, the management filed W.P.(MD) No.9535 of 2014. The learned single Judge disposed of the writ



petition by slightly modifying the award of the Labour Court. The

appellant was not only denied backwages but also other benefits.

Continuity of service was ordered subject to the exception that it would not include the period from 10.05.2006 to 02.07.2012. Against this order of the learned single Judge, this writ appeal has been filed by the management.

4. It is to be noted that during the intervening period, the delinquent was reinstated in service in the year 2015 itself. He is in service for the last ten years. Taking this aspect into account and also the fact that we are exercising jurisdiction under Clause 15 of the Letters Patent, we do not propose to interfere with the order of the learned single Judge. This writ appeal stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (K.RAJASEKAR, J.)

3rd July 2025

NCC : Yes / No

Index : Yes / No

Internet : Yes/ No

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W.A.(MD)NO.335 OF 2023

G.R.SWAMINATHAN,J.

AND

K.RAJASEKAR, J.

PMU

To:

The Presiding Officer,
Labour Court,
Madurai.

W.A.(MD)No.335 of 2023

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