



W.P.(MD) No.3745 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2025

CORAM

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.3745 of 2025

and

W.M.P.(MD) No.2697 of 2025

The Management,
Tamil Nadu State Transport Corporation
(Tirunelveli Limited),
Tirunelveli Region, Tirunelveli.

... Petitioner

Vs.

General Secretary,
Nellai, Chidambaranar, Kumari District,
State Transport Employees Union,
Registration No.468/Tvl,
4C, Imperial Compound (upstairs),
Peratchiamman Koil Road,
Vannarpettai, Tirunelveli-3.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records pertaining to the impugned award passed by the Labour Court, Tirunelveli in O.P.I.D.No.73 of 2020 dated 21.12.2023 and quash the same.



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For Petitioner : Mr.K.Ramaiah

ORDER

This writ petition has been filed challenging the award dated 21.12.2023 passed in O.P.I.D.No.73 of 2020 on the file of the Labour Court, Tirunelveli whereby the Labour Court interfered with the punishment imposed on the workman by the petitioner and imposing the modified punishment of stoppage of increment for a period of one year without cumulative effect.

2. A perusal of the impugned award discloses that the learned Labour Court interfered with the said punishment on the ground that the same was imposed without conducting any enquiry and without affording sufficient opportunity to the workman to defend himself.

3. Though this writ petition has been filed alleging that there is no necessity of conducting an enquiry as the punishment is only a stoppage of



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increment without cumulative effect, which is a minor penalty, learned counsel for the petitioner after verifying the relevant regulations, fairly submitted that the petitioner is under obligation to conduct an enquiry even in case of imposing punishment of stoppage of increment without cumulative effect, as the same was notified as a major penalty in terms of Rule (4) of Annexure (V) of the Transport Corporation Service Rules.

4. In the light of the above, this Court does not find any error or illegality in the impugned award passed by the learned Labour Court and accordingly, this Writ Petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

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NCC : Yes/No
Index : Yes/No
Internet : Yes

ABR



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MUMMINENI SUDHEER KUMAR, J.

ABR

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