



W.A.(MD)No.911 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.04.2025

CORAM:

THE HONOURABLE **MRS.JUSTICE J.NISHA BANU**

AND

THE HONOURABLE **MRS.JUSTICE S.SRIMATHY**

W.A.(MD)No.911 of 2025

&

C.M.P.(MD)No.5908 of 2025

The Management,
Tamil Nadu State Transport Corporation,
(Madurai) Limited, Dindigul Region,
Bye-Pass Road, Collectorate P.O.,
Dindigul-624 004.

... Appellant

-Vs-

1.The Presiding Officer,
Labour Court, Madurai.

2.D.Ramadhass

... Respondents

PRAYER: Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order dated 26.11.2019 made in W.M.P.(MD)No.21168 of 2019 in W.P.(MD)No.9094 of 2008 on the file of this Court.

For Appellant : Mr.S.C.Herold Singh

For R1 : Court

For R2 : Mr.S.Govindan

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JUDGMENT

[Judgment of the Court was delivered by **J.NISHA BANU, J.**]

This Writ Appeal is directed against the order dated 26.11.2019 made in W.M.P.(MD)No.21168 of 2019 in W.P.(MD)No.9094 of 2008.

2.It is the case of the appellant / writ petitioner that while the 2nd respondent was working as Conductor in a bus, though he had collected full fair of Rs.18/- from two passengers, he issued tickets to the said passengers by entering Rs.9/- to each of them. However, in the counter foil, he had written as if he issued tickets for the value of Rs.6/- each. Therefore, the 2nd respondent was dismissed from service. Challenging the same, he filed a petition before the 1st respondent and the same was allowed, directing the appellant to reinstate the 2nd respondent without backwages but with continuity of service. Aggrieved by the same, the appellant has filed the said Writ Petition. However, when the matter was taken up for hearing, none appeared on behalf of the appellant. Therefore, the Writ Court dismissed the said Writ Petition for non-prosecution.

3.Since there was a delay of 1204 days in filing restoration petition to restore the said Writ Petition, the appellant has filed W.M.P.(MD)No.21168 of 2019 seeking condonation of delay.



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4.The Writ Court, vide order dated 26.11.2019, dismissed the said petition, stating that though the appellant had knowledge about the dismissal of the Writ Petition on 17.02.2017, there was no explanation for the delay after the date of knowledge. Challenging the same, the appellant has filed this Writ Appeal.

5.Heard the learned counsel on either side and perused the materials available on record carefully.

6.On perusal of the reasons stated in the supporting affidavit, we are of the view that no satisfactory reason is assigned to condone the inordinate delay of 1204 days, which would clearly exhibit lethargic attitude on the part of the appellant. Therefore, the Writ Court has rightly dismissed the delay petition and even on merits, the appellant has no case. Hence, we are not inclined to interfere with the order impugned herein. Accordingly, this Writ Appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[J.N.B., J.] & [S.S.Y., J.]
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NCC : Yes / No
Index : Yes / No
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