



WP(MD)No.8065 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 17.11.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

**WP(MD)No.8065 of 2022 and
WMP(MD)No.6034 of 2022**

The Management through the General Manager,
Tamil Nadu State Transport Corporation,
Tirunelveli Ltd,
Tirunelveli Region,
Vannarpettai, Tirunelveli.

...Petitioner

Vs

The General Secretary,
Nellai Chidambaranar, Kumari District,
State Transport Corporation Employees Union,
Reg No.468/Tili,
4C, Empriyal Compoud (Upstairs),
Perachi Amman Kovil Road,
Vannarpettai, Tirunelveli.

...Respondent

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India to issue a writ of certiorari calling for the records from the Labour Court, Tirunelveli relating to the impugned award passed by it in ID.No. 61 of 2018, dated 30.05.2019 and quash the same.

For Petitioner : Mr.K.Sathiya Singh

For Respondent : Mr.K.Guhan



WP(MD)No.8065 of 2022

ORDER

WEB COPY

The management of Tamil Nadu State Transport Corporation has filed this writ petition as against award of the Labour Court, Tirunelveli passed in ID.No.61 of 2018, dated 30.05.2019.

2.The above industrial dispute has been raised by the respondent trade union against the order of the punishment imposed by the management on the member of a trade union namely one V.Baskar, a conductor. The conductor was imposed with a punishment of two years of increment cut with cumulative effect in conclusion of the disciplinary proceedings on the charge against him that when he was on duty from Tiruchendur to Padukapattu in a bus bearing Registration No.TN 72 N 1033, due to his negligence one of the passengers fallen down from the running bus and died. It was challenged by the trade union before the Labour Court and Labour Court has allowed the industrial dispute setting aside the order of punishment. Therefore, the management has filed this writ petition.



WP(MD)No.8065 of 2022

3.The learned counsel for the management submits that the Labour Court has set aside the order of punishment on the ground that sufficient opportunity was not provided to the delinquent. According to the learned counsel, it is not correct and the delinquent was provided with opportunity and the delinquent has also examined the management witnesses. The management has examined the Assistant Manager and established that the negligence on the part of the conductor was the cause for the death of the passenger.

4.The learned counsel for the respondent trade union submits that the passenger has got down from a running bus, she accidentally fell down and succumbed to injuries. Therefore, the relatives of the deceased have not preferred any complaint or filed any claim petition under the Motor Vehicles Act. However without considering the same, the management has proceeded by conducting an enquiry, given a report that there was negligence on the part of the conductor. The management has relied on the statement of the Assistant Manager, who has visited the place of occurrence after the accident. He is also the enquiry officer, who has relied on his own statement and given the enquiry report. Therefore, according to him, a person cannot be judge on his own cause.



WP(MD)No.8065 of 2022

5.This Court has considered the rival submissions made and perused the materials placed on record.

6.Though the management has initiated disciplinary proceedings as against the conductor on the charge of causing death of a passenger, it appears that not even an FIR has been registered in this regard and no claim petition has been filed under the Motor Vehicles Act by the deceased family. The management has relied on the report of the Assistant Manager, who happens to be the enquiry officer also in this case. Therefore, this court is not inclined to interfere with the orders of the Labour Court. Accordingly, this writ petition is dismissed. No costs.

17.11.2025

DSK

To

The Presiding Officer
Labour Court,
Tirunelveli.



WEB COPY



WP(MD)No.8065 of 2022

B.PUGALENDHI.J.,

DSK

WP(MD)No.8065 of 2022

17.11.2025