



WP(MD)No.15331 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.10.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

**WP(MD)No.15331 of 2022 and
WMP(MD)No.10971 of 2022**

The Management,
Tamil Nadu State Transport Corporation,
(Madurai Division) Ltd,
Bypass Road, Madurai – 10.

...Petitioner

Vs

General Secretary,
Tamil Nadu State Transport Corporation,
National Employees Union (INTUC),
Registration No.MDU/257,
3/4A, Pattukottai Kalyana Sundaram Street,
Opp to PRC Head Office, By pass road,
Madurai.

.. Respondent

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India to issue a writ of certiorari calling for the records relating to the impugned order dated 26.11.2020 passed by the Labour Court, Madurai in ID.No.59 of 2017 as illegal and quash the same.

For Petitioner : Mr.J.Senthil Kumaraiah

For Respondent : Mr.G.M.Xavier



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ORDER

The Transport Corporation / management has filed this writ petition as against the award passed by the Labour Court in ID.No.59 of 2017.

2.The industrial dispute was raised by the trade union as against the punishment imposed on the conductor. The conductor, who was on daily wage said to have misappropriated a sum of Rs.11/- on 21.05.2010, for which a charge memo was issued on 05.07.2010. Subsequently a punishment was imposed by extending the daily wage period by another three months on 18.08.2010. As against the order of punishment an industrial dispute was raised before conciliation officer and on the failure of conciliation report, it was referred to the Labour Court in ID.No.59 of 2017. The Labour Court found that there was no proper enquiry conducted as against the conductor, who was imposed with punishment and set aside the order of punishment. Therefore, the management has filed this writ petition.



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3.The learned counsel for the petitioner management submits that the conductor was working only as a daily wage employee and he was not a permanent employee. He was issued with charge memo for the delinquency committed by him and thereafter by issuing show cause notice he was imposed with punishment.

4.This Court considered the rival submissions made.

5.The justification of the management for imposing punishment on the Conductor is that the conductor was only a temporary employee. However a full-fledged enquiry was not conducted for his delinquency. The conductor was imposed with punishment on the allegations of misappropriation and it would certainly reflect in his career. When there is an allegation of misappropriation, even if he is a temporary employee, a proper enquiry ought to have been conducted. Therefore, this court is not inclined to interfere with the award of the Labour Court in setting aside the order of punishment dated 18.08.2010.



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6. Accordingly this writ petition is dismissed. No costs.

Consequently connected miscellaneous petition is closed.

14.10.2025

DSK

To

The General Secretary,
Tamil Nadu State Transport Corporation,
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Registration No.MDU/257,
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DSK

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