



W.P.(MD).No.17469 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.17469 of 2025

and

W.M.P.(MD)No.13323 & 13324 of 2025

S.Ravichandran

... Petitioner

-vs-

1. The Managing Director,
State Express Transport Corporation Tamil Nadu Limited,
Pallavan Salai,
Chennai 600 002.

2. The General Manager,
State Express Transport Corporation Tamil Nadu Limited,
Pallavan Salai,
Chennai 600 002.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned 1st respondent's orders order number 857955/DL1/A.Vi.Poo.Ka/2024 issued by the first respondent dated 21.10.2024 and quash the same as illegal.

For Petitioner : Mr.K.P.Sankarakumarakurubaran

For Respondents : Mr.S.C.Herold Singh



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ORDER

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This writ petition has been filed challenging the order in No. 857955/DL1/A.Vi.Poo.Ka/2024 issued by the first respondent dated 21.10.2024.

2. Heard the learned counsel on either side. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The petitioner is working as a 'Driver cum Conductor' in the respondent Corporation and a charge memo has been issued against the petitioner for having 200 rupees extra cash in his cash bag by way of distributing old tickets. Subsequently, he was placed under suspension. After an enquiry having been conducted, an order of punishment of stoppage of three years increment by considering the suspension period as leave on loss of pay. As against the same, the petitioner filed an appeal before the first respondent and the same was also dismissed. Challenging the same, this writ petition came to be filed.



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4. The learned counsel appearing for the respondents relied upon the judgment of the this Court, in the case of ***J.S.Edward Santhosha Raj & Another vs. Tamil Nadu State Transport Corporation (Tirunelveli) Ltd & Others*** reported in ***2022 (0) Supreme(Mad) 1353*** and the relevant paragraph reads as under:-

“13. The principles considered in the aforementioned paragraphs are only to clarify the statute and certain propositions regarding merits and the Labour Court is bound to consider the case independently and with reference to the documents and evidences, if any, submitted at the time of filing any application by the aggrieved person.

“14. In respect of the workmen governed by the settlement made under Section 12(3) of the Act, this Court has elaborately considered the principles, based on the decisions of the Honourable Supreme Court, in the case of P.Muthukrishnan v. Management of T.N.S.T.C.(Madurai) Ltd., reported in 2019-IV-LLJ-152 (Mad), wherein maintainability of petitions have also been considered and the similar view has been reiterated by the Honourable Division Bench of this Court in the Judgment dated 30.07.2021 in W.A.(MD) No.1045 of 2021.

15. For all these reasons, the petitioner is at liberty to approach the Labour Court for redressal of his grievance in the manner known to law.

16. Accordingly, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed”



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5. Thus, following the ratio laid down in the aforesaid decision of this Court, the petitioner is at liberty to approach the Labour Court for redressal of his grievance in the manner known to law. Accordingly, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

30.06.2025

NCC : Yes/No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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Order made in
W.P.(MD)No.17469 of 2025

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