



W.A.(MD)No.1731 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 30.06.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A.(MD)No.1731 of 2025
and
C.M.P.(MD)No.9606 of 2025**

- 1.The Managing Director,
Tamil Nadu State Transport Corporation (Kum) Ltd.,
TNSTC Head Office,
No.27, Railway Station New Road,
Kumbakonam.
 - 2.The General Manager,
Tamil Nadu State Transport Corporation (Kum) Ltd.,
Karaikudi Region,
Maruthupatti, Managiri,
Karaikudi, Sivagangai District.
- ... Appellants

Vs.

J.Soosaimuthu ... Respondent

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD)No.22821 of 2023 dated 20.09.2023 on the file of this Court.



W.A.(MD)No.1731 of 2025

WEB COPY

For Appellants : Mr.K.Ramaiah
For Mr.H.Arumugam.

For Respondent : Mr.S.P.Vijay Nivas

JUDGMENT
(By G.R.SWAMINATHAN, J.)

Heard both sides.

2.The management of TNSTC, Kumbokanam Limited has filed this writ appeal.

3.The writ petitioner was employed as a driver in the appellant corporation. The bus driven by him met with a fatal accident. In this regard, Crime No.266 of 2014 was registered against the writ petitioner on the file of Edaiyur Police Station. He was also departmentally dealt with and punishment of stoppage of increment for a period of two years with cumulative effect was imposed on him. The employee was however acquitted by the criminal court in C.C.No.153 of 2015 on the file Judicial Magistrate, Thiruthuraipoondi on 27.03.2019. Seeking revision of the



W.A.(MD)No.1731 of 2025

earlier punishment order, he submitted representation before the authorities. Since it was rejected, the employee filed W.P.(MD)No.22821 of 2023. The learned Single Judge vide order dated 20.09.2023 allowed the writ petition in the following terms:-

“5. I am fully in consonance with the order passed by this Court in a case mentioned supra. Adopting the same, I hereby direct the respondents to revisit the punishment inflicted on the petitioner in view of the Hon'ble acquittal given by the learned Judicial Magistrate, Thiruthuraipoondi on 27.03.2019 as per clause 61 of the Settlement under Section 12(3) of the I.D Act between the employer and employees and pass orders to that effect. The said order shall be passed by the respondents within a period of eight (8) weeks from the date of receipt of a copy of this order and it is needless to mention that once the order is passed for revoking the punishment, subsequently, the service benefits to which the petitioner is entitled, shall be extended to him.”

4.The learned Single Judge had only followed a similar order made in W.P.(MD)No.24931 of 2018 dated 23.04.2019. The learned Single Judge had only called upon the management to act in terms of the Clause 61 of the Settlement under Section 12(3) of the Industrial Dispute Act



W.A.(MD)No.1731 of 2025

entered into between the management and the employee. The said clause mandates the management to revisit a punishment, if the employee secures an acquittal in the criminal court. The learned Single Judge had only directed the management to consider the case of the employee in the light of aforesaid clause in the 12(3) settlement. There is nothing to interfere with such an order. The writ appeal stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S. J.,) & (K.R.S. J.,)
30.06.2025

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



WEB COPY



W.A.(MD)No.1731 of 2025

G.R.SWAMINATHAN, J.
and
K.RAJASEKAR, J.

ias

W.A.(MD)No.1731 of 2025

30.06.2025