



W.A.(MD)No.2442 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.08.2025

CORAM:

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**

AND

THE HONOURABLE **MR.JUSTICE G.ARUL MURUGAN**

W.A.(MD)No.2442 of 2025
and
C.M.P.(MD)No.13971 of 2025

1.The Managing Director,
Tamilnadu State Transport Corporation
(Kumbakonam Ltd.,)
Kumbakonam.

2.The General Manager,
Tamilnadu State Transport Corporation
(Kumbakonam Ltd.,)
Karur Region, Karur - 639 003.

3.The Branch Manager,
Tamilnadu State Transport Corporation
(Kumbakonam Ltd.,)
Karur Region, Musiri Branch,
Trichy - 621 211.

... Appellants

-Vs-

P.Sathishkumar

... Respondent



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PRAYER: Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order dated 15.03.2024 made in W.P.(MD)No.23114 of 2022 on the file of this Court.

For Appellants : Mr.M.Ajmal Khan,
Additional Advocate General,
assisted by Mr.S.C.Herold Singh
For Respondent : Mr.D.Anbarasu

JUDGMENT

[Judgment of the Court was delivered by ***S.M.SUBRAMANIAM, J.***]

The order of the Writ Court dated 15.03.2024 made in W.P.(MD)No.23114 of 2022 is under challenge in this Writ Appeal.

2.The issue raised in this Writ Appeal has already been decided by this Court vide order dated 21.08.2025 made in W.A.(MD)Nos.2407 to 2413 of 2025, which is extracted hereunder:-

“The Writ Appeals have been instituted challenging the common order dated 15.03.2024 in batch of writ petitions.

2. The writ petitions have been instituted by the drivers/conductors working in the appellants Transport Corporation. Admittedly, they are workmen governed under the Industrial Disputes



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Act. The service conditions are also governed under the settlements entered into between the management and the Workmen. Therefore, in the considered opinion of this Court that the aggrieved Workmen have to raise a dispute before the Labor Court in normal circumstances. However, in the present cases, instead of raising a dispute under the Industrial Disputes Act, writ petitions have been filed challenging the very order of punishment imposed by the management against the Workmen by initiating Departmental Proceedings.

3. The Writ Court quashed the orders of punishment solely on the ground that the punishment imposed is not contemplated under the Standing Orders applicable to the Workmen. However, the Writ Court has not found any fault in the matter of conduct of an enquiry by following the procedures only on the ground that the punishment imposed is not contemplated in the Standing Orders, the punishment orders were quashed. That being so, the Writ Court ought to have remanded the matter back for reconsideration enabling the Disciplinary Authority to take an appropriate decision in accordance with the Standing Orders in force.

4. First of all, the writ petitions in respect of workmen governed under the Industrial Disputes Act are not maintainable in view of the legal principles settled in several judgments. However, in the present cases, the writ petitions were entertained and the punishment was quashed solely on the ground stated above. That being so, the Disciplinary Authority must be provided with an opportunity to deal with the misconducts committed and for imposing



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penalty in consonance with the Standing Orders on merits and in accordance with law.

5. In view of the facts and circumstances, the impugned writ orders dated 15.03.2024 passed in W.P(MD)No.23111 of 2022 etc., batch are set aside and the punishment orders issued to the respondents / Workmen are set aside. Consequently, the matters are remanded back to the Disciplinary Authority for fresh consideration and take a decision in consonance with the Standing Orders, which is applicable to the appellants Transport Corporation and by following the procedures.

6. With these observations, the writ appeals are allowed. No costs. Consequently, connected miscellaneous petitions are closed.”

3.In view of the above decision, this Writ Appeal is also allowed. No costs. Consequently, connected miscellaneous petition is closed.

[S.M.S, J.] & [G.A.M., J.]
22.08.2025

NCC : Yes / No
Index : Yes / No

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