



W.P(MD)No.3704 of 2017

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2025

CORAM

**THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.3704 of 2017**  
**and**  
**W.M.P(MD)No.2971 of 2017**

The Management,  
Through the General Manager,  
Tamil Nadu State Transport Corporation,  
Tirunelveli Region, No.19,  
Thiruvananthapuram Road,  
Vannarapettai,  
Tirunelveli-627 003.

... Petitioner

Vs.

1.The Presiding Officer,  
Labour Court,  
Tirunelveli.

2.The General Secretary,  
Tirunelveli District Kattabomman Transport  
Corporation, Labour Sangam,  
Tamil Nadu State Transport Corporation,  
AITUC Labour Sangam,  
Registration No.578/Til, TNSTC  
Division Office opposite, AITUC Building,  
Vannarapettai, Tirunelveli-627 003.

... Respondents



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**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records from the first respondent Labour Court, Tirunelveli relating to the impugned award passed by its in C.P.No.30 of 2015, dated 17.10.2016 and quash the same and to grant such further or other orders as this Court.

For Petitioner : Mr.K.Sathiya Singh

R-1 : Labour Court

For R-2 : No appearance

### **ORDER**

The present writ petition has been filed by the Management of Tamil Nadu State Transport Corporation, Tirunelveli Region challenging the order passed by the Labour Court, Tirunelveli in C.P.No.30 of 2015.

2. One Jeyakumar, who was employed as a Driver in the petitioner Transport Corporation was imposed with a punishment of postponement of increment for a period of two years with cumulative effect. He challenged the said punishment through the second respondent Union in I.D.No.66 of 2013 before the Labour Court, Tirunelveli. The I.D was allowed on 18.09.2014 setting aside the punishment. Based upon the said order, the present



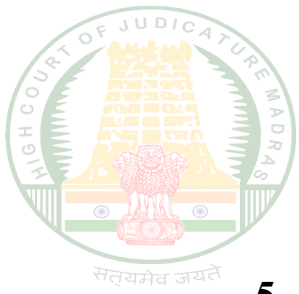
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computation petition was filed for depositing a sum of Rs.1,02,925/- along with 12% interest. This computation petition was allowed by the Labour Court. Challenging the same, the present writ petition has been filed.

3. According to the learned Counsel appearing for the petitioner Transport Corporation, the award of the Labour Court in I.D.No.66 of 2013 was put to challenge before this Court in W.P(MD)No.21654 of 2016 and an order of interim stay was granted by this Court on 11.11.2016. When the award of the Labour Court was under stay, the computation petition filed before the Labour Court is not maintainable and the same should have been dismissed.

4. However, it is brought to the notice of the Court that, W.P(MD)No. 21654 of 2016 was dismissed by this Court on 08.03.2018 and no appeal was preferred by the Transport Corporation. In such circumstances, the allowing of the computation petition by the Labour Court, Tirunelveli cannot be found fault with. When the punishment imposed upon the petitioner has already been set aside by the Labour Court and confirmed by the High Court, the recovery made pursuant to the said punishment order has to be refunded by the Transport Corporation.



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5. It is the further grievance of the petitioner Management that, 12% interest ought not to have been awarded by the Labour Court while allowing the computation petition.

6. This Court is inclined to accept the said contentions and the interest rate shall be reduced from 12% to 6%.

7. In view of the above said deliberations, the award of the Labour Court is confirmed as far as quantum of Rs.1,02,925/- is concerned. However, as far as the rate of interest is concerned, it is reduced from 12% to 6% from the date of recovery till the date of payment.

8. With the above said observations, this writ petition stands partly allowed to the extent as stated above. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

**07.07.2025**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes  
BTR



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  - 2.The General Secretary,  
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