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Order QR

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-11-2026

CORAM

THE HON'BLE MR JUSTICE C. SARAVANAN

W.P.No.45418 of 2026
and
W.M.P.No.50964 of 2026

Case QR

CNR: {HCMA012536952026}

The Management,
Metropolitan Transport Corporation (Chennai) Ltd.,
Pallavan Illam, Anna Salai,
Chennai-600 002.

..Petitioner(s)

Vs

1. The Special Joint commissioner of Labour,
   Authority under Industrial Disputes Act,
   Teynampet,
   Chennai-600 006.

2. Thiru M.A.Govindarajan,
   Conductor, C53569,
   No.17, Vellai Chetti Street,
   Uthiramerur 603 406.

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the records of the 1st Respondent pertaining to his proceedings in A.P.No.53 of 2022 and quash the order dated 23.12.2024 and consequently allow the approval petition filed by the petitioner management in A.P.No.53 of 2022.

For Petitioner(s): Mr.A.Vinothraj

For Respondent(s): Mr.K.K.Ram Siddhartha
Additional Government Pleader
for R1

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ORDER

The Petitioner Transport Corporation is aggrieved by the impugned order passed by the 1st Respondent / Special Joint Commissioner of Labour in his proceedings dated 23.12.2024 in A.P.No.53 of 2022, filed under Section 33(2)(b) of the Industrial Disputes Act, 1947.

2. During the pendency of a collateral Industrial Dispute, the 2nd Respondent, who was working as a Conductor with the Petitioner, was dismissed from service for being absent for a period of 8 days from 01.09.2020. In this background, the departmental proceedings were initiated against the 2nd Respondent.

3. The Enquiry Officer appointed in this regard submitted a reported on 22.04.2021 holding that all charges against the 2nd Respondent were proved. Based on the aforesaid report of the Enquiry Officer, it was decided to remove the 2nd Respondent from service by an order dated 07.03.2022. Having ordered the dismissal, the Petitioner filed A.P.No.53 of 2022 before the 1st Respondent under Section 33(2)(b) of the Industrial Disputes Act, 1947. The 1st Respondent has taken note of the fact that the dismissal of the 2nd Respondent was not in accordance with the law laid down by the Hon'ble Supreme Court in ***Lalla Ram*** Vs. ***DCM Chemical Works***, AIR 1978 SC 1004.

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4. Specifically, it has been stated that no *prima facie* case was made out for dismissing the 2nd Respondent from service and that the Petitioner Management had resorted to victimisation.

5. As such, the impugned order of the 1st Respondent in A.P.No.53 of 2022 dated 23.12.2024, rejecting the application filed under Section 33(2)(b) of the Industrial Disputes Act, 1947 does not suffer from any illegality or irregularity committed by the 1st Respondent while passing the impugned order, the order cannot be termed as perverse order warranting an interference under Article 226 of the Constitution of India.

6. Therefore, this Writ Petition is liable to be dismissed and is accordingly dismissed. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

12-11-2026

Neutral Citation: Yes/No
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To

The Special Joint commissioner of Labour,
Authority under Industrial Disputes Act,
Teynampet,
Chennai-600 006.

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C.SARAVANAN, J.

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