



WA(MD)No.610 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 01.06.2026

CORAM

**THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN**

WA(MD)No.610 of 2026
and
C.M.P(MD)No.5876 of 2026

The Management,
Tamil Nadu State Transport Corporation,
Tirunelveli Limited,
Nagercoil Zone,
Ranithottam, Nagercoil,
Kanniyakumari District.

... Appellant

Vs.

The General Secretary,
The State Transport Employees Union,
4KKM CITU,
Ranithottam, Nagercoil.

... Respondents

PRAYER :- Writ Appeal filed under Clause 15 of Letters Patent, against
the order made in W.P(MD)No.9023 of 2021, dated 24.07.2025.

For Appellant : Mr.P.F.Ferlin Castro

For Respondent : Mr.K.Vamanan



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JUDGMENT

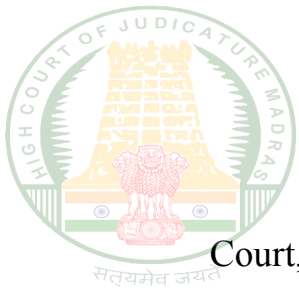
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(Judgment of the Court was made by **N.SATHISH KUMAR, J.**)

Challenging the order of the learned Single Judge dismissing the writ petition, the Management has filed the present writ appeal.

2. One Mr. A. Joye, who was working as a Driver in the appellant Transport Corporation, was issued a charge memo on 11.05.2013 on the allegation that he had driven the vehicle negligently, resulting in the death of a pedestrian. After considering his explanation, a domestic enquiry was ordered. Pursuant to the report submitted by the Enquiry Officer, the charges were held proved, and the punishment of postponement of increment for a period of three years with cumulative effect was imposed.

3. Challenging the said order, the delinquent workman raised an industrial dispute under Section 2(k) of the Industrial Disputes Act, 1947. The Labour Court, after analysing the oral and documentary evidence, came to the conclusion that the accident had occurred solely due to the carelessness of the deceased pedestrian and, therefore, set aside the order of punishment. Aggrieved by the said order of the Labour



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Court, the Management filed a writ petition. The learned Single Judge dismissed the writ petition on the ground that, even before the Motor Accidents Claims Tribunal (MACT), the Management had taken a stand that the driver was not negligent. Having taken such a stand, the Management could not subsequently adopt a contrary position.

4. Be that as it may, we have perused the entire order of the Labour Court as well as the enquiry report submitted by the Enquiry Officer to ascertain whether there was any negligence on the part of the driver.

5. A perusal of the enquiry report itself indicates that there was no direct evidence to establish rash or negligent driving on the part of the driver. Therefore, in the absence of any evidence substantiating the charge, we are of the view that the imposition of punishment for negligence is unsustainable in the eyes of law. We find no merit in the writ appeal. Accordingly, the writ appeal stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[N.S.K., J.] & [M.J.R., J.]
01.06.2026

Index : Yes / No
Neutral Citation : Ye / No
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AND
M.JOTHIRAMAN, J.

am

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