



W.P.(MD)No.7931 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 25.03.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.7931 of 2026

and

W.M.P.(MD)No.6500 of 2026

The Management,
General Manager,
Tamil Nadu State Transport Corporation (Tirunelveli) Limited,
Tirunelveli Region, Vannarapettai,
Tirunelveli – 627 003. ... Petitioner

vs.

General Secretary,
Nellai District Transport Labour Association (CITU),
Opposite to Tamil Nadu State Transport Corporation Head Office,
Tirunelveli – 627 003.
V.Murugan. ... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari to call for the records pertaining to the impugned award passed by the Labour Court, Tirunelveli in O.P.I.D No. 12 of 2023 dated 23.04.2024 and quash the same.

For Petitioner :Mr.S.Michael Heldon Kumar



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ORDER

The petitioner is before this Court assailing the award dated 23.04.2024 passed by the Labour Court, Tirunelveli, in O.P.I.D. No.12 of 2023.

2. The respondent, Murugan, while serving as a Driver in the petitioner Corporation, was issued with a charge memo alleging that, due to rash and negligent driving, he dashed against pedestrians, resulting in injuries to them. An enquiry was conducted, and the Enquiry Officer held the charge to be proved. Based on the said finding, the Disciplinary Authority imposed the punishment of withholding of increment for a period of six months with cumulative effect. Aggrieved by the same, the respondent raised an industrial dispute under Sections 10(1)(c) and 10(1)(d) of the Industrial Disputes Act, 1947, before the Labour Court, Tirunelveli.

3. The Labour Court framed a preliminary issue as to whether the domestic enquiry was fair and proper and answered the same in the



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affirmative. Thereafter, the respondent marked documents as Ex.W1 to Ex.W14, and the petitioner Management marked documents as Ex.M1 to Ex.M16. The Labour Court found that none of the eyewitnesses to the accident, including the Conductor who was present in the bus at the time of the occurrence, was examined. The only witness relied upon was the Inspector, who had investigated the incident after the occurrence. Except for the evidence of the said Inspector, there was no cogent material placed before the Enquiry Officer to substantiate the allegation that the accident occurred due to rash and negligent driving on the part of the respondent.

4. In such circumstances, the finding of the Enquiry Officer, based solely on the statement of the Inspector and in the absence of any cogent evidence, is perverse. Consequently, the order of punishment passed by the petitioner, founded on such findings, is also unsustainable.

5. The Labour Court, upon proper appreciation of the materials on record, has rightly set aside the punishment. This Court finds no illegality or perversity in the impugned award warranting interference.



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6. Accordingly, the writ petition stands dismissed. No costs.

Consequently, the connected miscellaneous petition is closed.

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

25.03.2026

cmr

To

The Presiding Officer,
Labour Court, Tirunelveli



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HEMANT CHANDANGOUDAR, J.

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