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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.04.2026

CORAM

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.(MD)No.9425 of 2026
and W.M.P(MD)No.7538 of 2026

The Management,
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Bypass Road, Madurai.

.. Petitioner

- Vs. -

General Secretary,
Arasu Pokkuvarathu
Madurai Thozhilalalr Sangam,
Regd. N0.157/MDU Link – CITU,
V.P.Chinthan Ninaivagam,
Voc II Street, Arul Nagar,
By-Pass Road,Madurai – 602 016.

... Respondent

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of CERTIORARI, calling for the records on the files of the Learned Labour Court, Madurai pertaining to its impugned award in ID No. 96 of 2014 dated 22-11-2021 and quash the same as illegal.

For Petitioner : Mr.SC.Herold Singh



ORDER

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The petitioner assails the award dated 22.11.2021 passed by Presiding Officer, Labour Court, Madurai in ID.No.96 of 2014.

2. By the said award, the order passed by the petitioner imposing punishment of stoppage of annual increment for two years with cumulative effect to the member of the respondent Union namely one driver Thiru. V.Elangovan was set aside. The said driver was issued with a charge memo dated 13.06.2006 citing that while he was in duty on 13.04.2007 had overtaken a Lorry and dashed against the Sattur branch bus due to which one passenger sustained injury and also caused damage to the bus.

3. The said driver/V.Elangovan denied the charges. The explanation submitted by him was not found satisfactory initiating conducting of domestic enquiry. The enquiry officer, after conducting enquiry, submitted a report citing that the charge against the driver is proved. Based on the findings written by the enquiry officer, the disciplinary authority imposed the said punishment. The order of punishment was assailed before the appellate authority and the same was confirmed. Being aggrieved, the respondent Union raised a dispute under Section 10(1)(C) and 10(1)(d) of the Industrial Disputes Act, 1947 before the



Labour Court.

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4. Before the Labour Court, no oral evidence was laid. However, the respondent herein/Union through the driver accepted documents as Ex.W1 to Ex.W11. The Labour Court, after considering the documentary evidence on record, written the findings that the charge against the driver was not proved and passed the impugned award.

5. Heard the learned counsel appearing for the petitioner and the perused the materials placed on record.

6. In the domestic enquiry, the petitioner did not examine any eyewitness to the extent much less than the conductor of the bus, who was on duty as on the date of the incident. In the Motor Accident Claims Petition, the petitioner did not attribute negligence against the driver, but instead attributed negligence against the driver of the offending vehicle. The enquiry officer submitted a report stating that the charge against the said Elangovan is proved only on the basis of the charge sheet filed against the driver and the charge sheet is not a conclusive proof that the accident was on account of the negligence of the driver of the bus.



7. The Labour Court, after considering all these aspects in a proper perspective, has rightly written the findings that the charge against the petitioner/driver of the bus was not proved.

8. In the absence of any arbitrariness or perversity in the findings written by the Labour Court, the impugned award passed by the Labour Court does not warrant any interference. Accordingly, this writ petition is dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

07.04.2026

Index :Yes/No
NCC :Yes/No
PJL

To
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HEMANT CHANDANGOUDAR, J.

PJL

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