



W.P.(MD)No.10403 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 15.04.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.10403 of 2026

and

W.M.P.(MD)No.8167 of 2026

The Management,
Tamil Nadu State Transport Corporation (Tirunelveli) Limited,
Tirunelveli Region,
Tirunelveli - 627 003. ... Petitioner

vs.

The General Secretary,
Nellai, Chidambaranar, Kumari District State
Transport Employees Union, (JDLF),
Registration No.468/Tvl,
4C, Imperial Compound (Upstairs),
Peratchiamman Koil Road,
Vannarapettai, Tirunelveli – 3.
For B.Singaravel, Conductor,
EDP No.1491. ... 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.55 of 2021 dated 08.03.2024 and quash the same.



W.P.(MD)No.10403 of 2026

For Petitioner :Mr.S.Michael Heldon Kumar

ORDER

The petitioner challenges the order dated 08.03.2024 passed by the Labour Court, Tirunelveli, in O.P. I.D. No.55 of 2021.

2. Heard Mr. S. Michael Heldon Kumar, learned counsel for the petitioner.

3. A member of the respondent Union, namely, B. Singaravel, was issued a charge memo alleging that, while he was on duty as a Conductor on 25.11.2015, the Checking Inspector conducted an audit at Madurai and found that the starting numbers in the trip sheet were written only with four digits and the ending numbers were not entered. When questioned, he allegedly spoke disparagingly about the Checking Inspector and the Corporation in front of the public and refused to receive the charge sheet.



W.P.(MD)No.10403 of 2026

4. In the domestic enquiry, the charges against the Workman were held to be proved. The Checking Inspector alone was examined as the management witness, and no independent eyewitness was examined. After conducting the enquiry, the Enquiry Officer submitted a report holding that the charges against the Workman were proved. The further explanation submitted by the Workman was not found satisfactory, and the Disciplinary Authority imposed the punishment of stoppage of increment for two years with cumulative effect. Thereafter, the respondent Union raised an industrial dispute under Sections 10(1)(c) and 10(1)(d) of the Industrial Disputes Act, 1947, before the Labour Court, Tirunelveli.

5. The Labour Court, Tirunelveli, after appreciating the evidence on record, rendered a finding that the charge against the respondent Workman was not proved.

6. This Court considered the submissions made by the learned counsel for the petitioner and perused the materials available on record.



W.P.(MD)No.10403 of 2026

7. The Labour Court perused the internal enquiry records marked as Ex.MW-7 and observed that the inspection took place at Madurai Mattuthavani Bus Stand after the passengers had alighted. The Checking Inspector admitted during the enquiry that the passengers who alighted from the bus had valid tickets, which clearly implied that the inspection took place only after the bus had stopped and the passengers were leaving. The Labour Court further observed that the management witness's claim that the passengers were still boarding to retrieve their luggage appeared contradictory, and if the passengers had already alighted with their luggage, there was no necessity for them to re-board. The possibility of passengers re-boarding immediately was also found to be low. Therefore, the allegation that the Workman spoke disrespectfully in front of the passengers was not accepted at the outset. Moreover, neither the driver of the bus nor any member of the public was examined during the domestic enquiry.

8. The Labour Court further observed that the petitioner Management did not provide any explanation or clarify the legal rule requiring five-digit entries in the trip sheet. Relying solely on the



W.P.(MD)No.10403 of 2026

testimony of an interested witness, the order of punishment could not be legally sustained. It was also observed that the relevant rule stipulates that if stoppage of increment or demotion is ordered, the period of temporary suspension should be treated as if the Workman was on duty. Therefore, treating the period of suspension as duty without leave was also held to be unsustainable.

9. The findings rendered by the Labour Court are based on the evidence and records and cannot be construed as findings based on no evidence or improper appreciation of evidence. In the absence of any arbitrariness or perversity in the findings rendered by the Labour Court, the impugned order does not warrant interference by this Court.

10. In view of the above discussion, the writ petition stands dismissed.

11. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

Index :Yes / No
NCC :Yes / No
cmr

15.04.2026



W.P.(MD)No.10403 of 2026

WEB COPY

To
The Presiding Officer,
Labour Court, Tirunelveli



WEB COPY



W.P.(MD)No.10403 of 2026

HEMANT CHANDANGOUDAR, J.

cmr

W.P.(MD)No.10403 of 2026

15.04.2026