



W.P(MD)No.19952 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

Writ Petition(MD)No.19952 of 2024

and

W.M.P(MD)No.16908 of 2024

The Management
Tamil nadu State Transport Corporation,
Tirunelveli Region,
Tirunelveli.

.. Petitioner

Vs

General Secretary
Tamil Nadu State Transport Corporation
Labour Munnertra Kazhagam,
Tirunelveli.

2.S.Ravichandran
(R2 is impleaded vide order dated 22.06.2026
made in WMP(MD)No.25700 of 2024)

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of certiorari to call for the records pertaining to the impugned award passed by the Labour Court Tirunelveli in I.D.No.145 of 2022 dated 06.10.2023 and quash the same.



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For Petitioner : Mr.K.Ramaiah

For Respondents : Mr.A.Rahul for R2

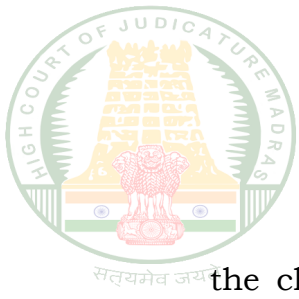
No appearance for R1

ORDER

The petitioner challenges the award dated 06.10.2023 passed by the Labour Court, Tirunelveli, in I.D. No.145 of 2022, whereby the industrial dispute raised by the respondent Union under Sections 10(1)(c) and 10(1)(d) of the Industrial Disputes Act was allowed. By the said award, the Labour Court set aside the order dated 30.07.2018 imposing the punishment of withholding of increment for three years with cumulative effect on the member of the respondent Union, namely, Thiru S. Ravichandran.

2.The Labour Court further directed the petitioner Corporation to extend all consequential monetary benefits to the workman and to treat the period of suspension as duty, after deducting the subsistence allowance already paid, if any.

3.Thiru S. Ravichandran was employed as a driver in the petitioner Corporation. A charge memo was issued to him alleging rash and negligent driving of a Corporation bus. The workman denied



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the charges. Consequently, a domestic enquiry was conducted. The Enquiry Officer held the charges proved and, based on the findings, the disciplinary authority imposed the aforesaid punishment. Aggrieved by the same, the respondent Union raised an industrial dispute before the Labour Court. By the impugned award, the Labour Court set aside the order of punishment.

4.Heard the learned counsel appearing on either side.

5.The charge against the workman was that on 15.06.2016, while driving a bus from Tiruppur to Tirunelveli, he drove the vehicle in a rash and negligent manner and collided with the rear side of another bus, resulting in injuries to about twenty passengers.

6.In the domestic enquiry, the petitioner Corporation examined the Assistant Manager of the Depot. He deposed that he visited the accident spot, collected information from the injured passengers and other persons present at the scene, and on that basis concluded that the accident occurred due to the rash and negligent driving of the workman. However, none of the eyewitnesses to the accident were examined. The statements allegedly obtained from the injured passengers were not produced. Even the conductor who was travelling in the bus at the time of the accident was not examined.



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7.It is also not in dispute that though a criminal case was registered against the workman and a charge sheet was filed alleging rash and negligent driving, he was subsequently acquitted by the criminal Court by extending the benefit of doubt.

8.Further, in the claim petitions filed by the injured passengers under the Motor Vehicles Act, the petitioner Corporation had taken a specific stand that the accident did not occur due to any rash or negligent act on the part of the workman. Despite taking such a stand, the Corporation neither examined the injured passengers nor the conductor before the Enquiry Officer. Therefore, the finding of negligence recorded by the Enquiry Officer is not supported by any reliable material.

9.Except for the testimony of the Assistant Manager, which is based on information allegedly gathered from others, there is no substantive evidence to establish the charge of rash and negligent driving. In the absence of any cogent evidence, the finding of guilt recorded by the Enquiry Officer cannot be sustained. The disciplinary authority also appears to have accepted the findings of the Enquiry Officer without independently assessing the evidence on record.



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10. On a consideration of the oral and documentary evidence, the Labour Court rightly concluded that the petitioner Corporation had failed to prove the charges levelled against the workman. The findings recorded by the Labour Court are based on the materials available on record.

11.This Court does not find any perversity, arbitrariness or patent illegality in the award passed by the Labour Court. The award is based on evidence and cannot be said to suffer from any legal infirmity warranting interference under Article 226 of the Constitution of India.

12.Accordingly, the writ petition is dismissed. The petitioner Corporation is directed to implement the award passed by the Labour Court within a period of six weeks from the date of receipt of a copy of this order.

13.No costs. Consequently, the connected miscellaneous petition is closed.

22.06.2026

NCC : Yes/No

Index : Yes/No

Internet:Yes

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HEMANT CHANDANGOUDAR, J.

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22.06.2026