



W.A(MD)No.410 of 2026

WEB CODE BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.03.2026

CORAM:

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

**W.A(MD)No.410 of 2026
and
C.M.P(MD)No.3746 of 2026**

The Management,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Karaikudi Region,
Koviloor Salai,
Karaikudi – 620 307.

... Appellant/Petitioner

vs.

The General Secretary,
Tamil Nadu Arasu Pokkuvarathu
Thozhilalar Sangam (CITU),
33, Nethaji Street,
Soodamanipuram,
Karaikudi,
Sivagangai District.

... Respondent/Respondent



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PRAYER : Writ Appeal filed under Clause 15 of Letters Patent to set aside the order dated 23.04.2025 made in W.P(MD)No.11427 of 2025 on the file of this Court.

For Appellant : Mr.S.C.Herold Singh

For Respondent : Mr.S.P.Vijay Nivas

JUDGMENT

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

Challenging the order passed by the learned Single Judge in W.P. (MD) No. 11427 of 2025, dated 23.04.2025, confirming the award of the Labour Court, Madurai, whereby the punishment of stoppage of increment for a period of three years with cumulative effect was set aside, the present Writ Appeal has been filed by the Management.

2.The charge against the workman is that, while he was working as a Conductor, he failed to issue a ticket of denomination Rs.10/- to a woman passenger, namely, T.P. Santhanamary, which was allegedly detected



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during inspection by the Checking Inspector. Based on the said allegation, a domestic enquiry was conducted, the charges were held to be proved, and punishment of stoppage of increment for three years with cumulative effect was imposed. Aggrieved by the same, the Sangam raised an industrial dispute in I.D.No.50 of 2020 before the Labour Court, Madurai, which set aside the punishment imposed on the employee. Challenging the said award, the Management filed the writ petition.

3.The learned Single Judge, upon consideration of the materials, held that the charges were not proved. It was noted that the said woman passenger, whose statement was relied upon, was not examined before the Enquiry Officer. Further, discrepancies such as the use of two different inks in the statement cast serious doubt on the genuineness of Ex.M.9. On such findings, the learned Single Judge dismissed the writ petition.

4.Heard the learned counsel appearing on either side and perused the materials available on record.



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5. On a careful consideration of the materials available on record, we are of the view that a domestic enquiry must be conducted in a fair and proper manner, and the evidence relied upon against the employee must be duly proved. In the present case, the material witness, namely the passenger from whom Rs.10/- was allegedly collected without issuing a ticket, was not examined. In such circumstances, the finding of guilt cannot be sustained. We find no infirmity in the order of the learned Single Judge.

6. Accordingly, this Writ Appeal fails and is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

[N.S.K.,J.] [M.J.R.,J.]
25.03.2026

NCC : Yes / No
Index : Yes / No
ps



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To

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ps

ORDER MADE IN
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