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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2026

CORAM

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.(MD)No.26074 of 2022
and W.M.P(MD)Nos. 20206 & 22155 of 2022

The Management,
Tamil Nadu State Transport Corporation,
Madurai Region,
Madurai Division,
Bye-Pass Road,
Madurai 16,
by its General Manager

.. Petitioner

- Vs. -

Marichelvam.M

.. Respondent

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue of Writ of Certiorari, calling for the records on the files of the Hon'ble Presiding Officer, Labour Court, Madurai, pertaining to its proceedings in I.D.No. 5 of 2014 dated 23.06.2022 and quash the same.

For Petitioner : Mr.S.C.Herold Singh

For Respondent : Mr.R.Saravanan



ORDER

The petitioner assails the order dated 23.06.2022 passed by the Presiding Officer, Labour Court, Madurai in I.D.No. 5 of 2014.

2. In the said award, the dispute raised under Section 282 of the Industrial Disputes Act has been allowed and the order of dismissal dated 02.05.2023 has been set aside and the writ petitioner is directed to reinstate the respondent herein with continuity of service without backwages and other benefits.

3. The respondent was serving as a driver of the petitioner corporation which issued with the charge memo stating dated 13.03.2012 the checking Inspector on duty found that the petitioner did not stop the bus on each and every stop. The petitioner created a scene by abusing the officer and took him to the police station and attempted to lodge a false criminal case in connection with the checking inspector.

4. The respondent denied the charges insisting initiation of domestic enquiry. The enquiry officer found that the charge against the respondent is proved and therefore an order of dismissal was passed against the respondent. Aggrieved, the petitioner is disputed under Section 2 of the ID Act. The Labour Court found that the domestic enquiry conducted by the petitioner is not fair



and proper and therefore, the respondent workman examines himself as WW1 and exhibited Ex.W1 to Ex.W6 and the petitioner corporation examined 2 witnesses as MW1 and MW2 and exhibited documents in Ex. M1 to M14. The Labour Court, after appreciating evidence both oral and documentary, came to a conclusion and finding that charges against the respondent/workman are not proved and passed the impugned award.

5. Heard the learned counsel appearing on either side and perused the materials placed on record.

6.The Labour Court before written all findings that the charge against the respondent/workman is not proved and observed as follows:

“1. There is no written order for PNP duty allotted to the concerned checking inspector namely Thiru. Rajendran who was allegedly abused by the petitioner and against whom the respondent/workman attempted to lodge a criminal complaint.

2. The MW2 Thiru. Rajendran, checking Inspector boarded the bus without possessing identity card and in the absence of ID card, he was asked to de-board the bus and on the same day at 5.15 p.m the said checking inspector boarded the



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bus in a drunken mood and quarrelled with the conductor as the matter went up to the police station and a complaint was given against the said checking Inspector by the driver and the conductor and that time another checking inspector namely Davamani went to the police station and resolved the dispute.

3. To substantiate that when the checking inspector Rajendran boarded the bus in a drunken mood and without ID card, Ex.M2 was relied upon by the Labour Court.

4. There is no evidence adduced by the petitioner corporation to substantiate that the respondent/workman had abused the checking inspector Rajendran and also tied his hands on the backside and took him to the police station.

5. There is no evidence to substantiate that the respondent/workman did not stop the bus in each and every stop and caused financial loss to the corporation.”

6. The findings written by the Labour Court is based on the evidence and record and in the absence of any perversity or irregularity, the findings written by the Labour Court and the impugned award passed by the Labour Court does not warrant any interference in exercise of the power under Article 227 of the



Constitution of India. In the absence of any illegality, the petition is devoid of merits. Accordingly, this Writ Petition is dismissed. No Costs. Consequently, connected miscellaneous petitions are closed.

7.The petitioner corporation is directed to implement the impugned award passed by the Labour Court within a period of two months from the date of receipt of a copy of this order.

06.04.2026

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

To
The Presiding Officer, Labour Court, Madurai.



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HEMANT CHANDANGOUDAR, J.

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