



W.P(MD)No.3661 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

Writ Petition(MD)No.3661 of 2026

The Management,
Tamil Nadu State Transport Corporation,
(Madurai) Limited, Virudhunagar Region,
Virudhunagar - 626 001.

.. Petitioner

Vs

1.General Secretary,
Thozhilalar Munnettrra Sangam,
Tamil Nadu State Transport,
Thozhilalar Munnettra Sangam,
561, Lakhmi Nagar,
Virudhunagar - 626 001.

2.G.Balasubramani
Tamil Nadu State Transport Corporation,
Madurai Ltd., Kariapatti Branch,
Virudhunagar Region.

..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 relating to the impugned award passed by the Labour Court at Madurai Virudhunagar Camp in I.D.No.45/2015 dated 11.10.2023 and quash the same as illegal.



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For Petitioner : Mr.S.Raja

For Respondents : Mr.S.Arunachalam for R2

No appearance for R1

ORDER

The petitioner/Management challenges the award dated 11.10.2023 passed in I.D. No.45 of 2015 by the Labour Court, Madurai (Virudhunagar Camp), whereby the punishment of stoppage of increment for two years with cumulative effect imposed on the second respondent/workman (driver) was set aside.

2. The petitioner initiated disciplinary proceedings against the second respondent alleging that, while working as a driver, he drove the Corporation bus in a rash and negligent manner, resulting in an accident causing injuries and monetary loss to the Corporation. A domestic enquiry was conducted, and the Enquiry Officer submitted a report holding the charge proved. Based on the said report, the petitioner was imposed with the punishment of stoppage of increment for two years with cumulative effect.

3. Aggrieved by the said punishment, the first respondent Union raised an industrial dispute under Sections 10(1)(c) and 10(1)(d) of the Industrial Disputes Act. The Labour Court framed a preliminary issue regarding the fairness and propriety of the domestic enquiry. On the side of the workman, he examined himself as W.W.1



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and marked Exs.W1 to W4. On the side of the Management, one witness was examined as M.W.1 and Exs.M1 to M15 were marked.

4. Upon appreciation of the oral and documentary evidence, the Labour Court held that the charge against the workman was not proved and consequently set aside the punishment. Challenging the same, the present writ petition has been filed.

5. The learned counsel for the petitioner/Management contended that the Labour Court set aside the punishment solely on the basis of the acquittal of the workman in the criminal case under Section 304-A IPC, without properly appreciating the materials on record which establish negligence on the part of the workman. It was therefore submitted that the impugned award is perverse and liable to be set aside.

6. Per contra, the learned counsel for the second respondent/workman submitted that the acquittal was on account of failure of the prosecution to prove the case beyond reasonable doubt. It was further submitted that no eyewitness was examined before the Enquiry Officer, and the Labour Court, on a proper appreciation of evidence, rightly concluded that the charge was not proved. It was thus contended that the award does not suffer from any perversity or arbitrariness warranting interference.

7. This Court has considered the submissions made on either side.



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8. Admittedly, no eyewitness to the incident was examined during the domestic enquiry, as noted by the Labour Court. Further, the petitioner has not placed on record the counter affidavit filed before the Motor Accident Claims Tribunal to substantiate that negligence was attributed to the workman and not to the rider of the other vehicle involved in the accident. It is also not in dispute that the workman was acquitted of the offence under Section 304-A IPC on the ground that the prosecution failed to prove the charge beyond reasonable doubt.

9. It is well settled that mere acquittal in a criminal case does not bar the employer from proceeding with disciplinary action, as the standard of proof in departmental proceedings is different. However, in the present case, the Labour Court has not set aside the punishment solely on the basis of acquittal, but has independently evaluated the evidence and found that the Management failed to prove the charge. The absence of eyewitness testimony and the failure to produce relevant material documents were rightly taken into account by the Labour Court.

10. In the absence of any perversity or arbitrariness in the findings of the Labour Court, this Court finds no ground to interfere with the impugned award.

11. Accordingly, the writ petition is dismissed. No costs.

10.03.2026



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NCC : Yes/No

Index : Yes/No

Internet:Yes

skn

To

1.General Secretary,
Thozhilalar Munnettrra Sangam,
Tamil Nadu State Transport,
Thozhilalar Munnettra Sangam,
561, Lakhmi Nagar,
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HEMANT CHANDANGOUDAR, J.

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