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The Management of Vs S.Thangavel

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Court : Chennai Orders

Decided On : Jun-30-2025

Judge : Honourable Ms. Justice P.T. Asha

Appeal No. : WP/4848/2023

Appellant : The Management of

Respondent : S.Thangavel

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.06.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA and WMP.No.4880 of 2023

The Management of Tamil Nadu State Transport Corporation (Coimbatore Division) Limited No.37, Mettupalayam Road Coimbatore - 641 043. ... Petitioner Vs. S.Thangavel ... Respondent Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records relating to the Award in

C.P.No.44 of 2021 dated 12.07.2022 on the file of the Additional Labour Court, Coimbatore and quash the same.

For Petitioner : Mr.T.Chandrasekaran For Respondent : Ms.V.Porkodi

ORDER

The above writ petition arise against the order passed by the Additional Labour Court, Coimbatore, in C.P.No.43 of 2021.

2. The short facts are as follows :

a) The respondent herein was a driver under the petitioner-Management. He joined the Udumalpet branch of the petitioner-Corporation on 07.04.1998 on a daily wage of Rs.75/-. The respondent would submit that he had sincerely and dutifully discharged his service. He had also worked at Palani-2 branch as a driver. He had put in more than 480 days for two calendar months. However, he has not been made permanent and has continued as a daily wage worker. b) The respondent-workman therefore approached the Inspector of Labour for conferring permanent status on him. This petition was allowed on 23.02.2017, and he was conferred permanent status along with backwages and other attendant benefits with effect from 27.11.1999. c) Aggrieved by the same, the petitioner-Management herein had

filed W.P.No.15461 of 2017. This writ petition was dismissed on 01.10.2010, upholding the order conferring permanent status on the workman. The dismissal order was taken up on challenge by the Management in a writ appeal in W.A.No.362 of 2023 & etc. batch and by an order dated 03.08.2023, the writ appeal was disposed in terms of the order dated 13.02.2023 in W.A.No.962 of 2021. d) Subsequent to the disposal of the writ appeal, the workman had filed C.P.No.44/2021 before the Additional Labour Court, Coimbatore, and the same was allowed by order dated 12.07.2022. It is this award which is the subject matter of

challenge in the present writ petition.

3. Heard the learned counsel appearing on either side.

4. In the light of the fact that the challenge to the initial industrial

dispute has ended in a failure, there is no infirmity in the order passed by the Additional Labour Court, Coimbatore. The writ petition is accordingly dismissed, as the plea of the Management regarding the entitlement of respondent-workman has been upheld by the learned Single Judge and not disturbed in appeal before the Division Bench of this Court. No costs. Consequently, connected miscellaneous petition is closed. 30.06.2025 Index : Yes / No Neutral Citation : Yes / No ds P.T. ASHA, J, ds 30.06.2025

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