



2026:TSHC:17949
[3304]

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

**TUESDAY, THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

WRIT PETITION NO: 22424 OF 2006

Between:

Lingam Rajaiah, S/o: Kistaiah, aged about 42 years, Ex-Coal Filler RK-3 Incline,
Singareni Collieries Company Ltd., Adilabad District

AND

...PETITIONER

The General Manager, Singareni Collieries Company Ltd., Ramakrishnapuram
Division Ramakrishnapur 504 301 Adilabad District.

...RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ or order or direction, especially one in the nature of Writ of Certiorari i. call for the records pertains to ID No. 277 of 2002 on the file of Central Government Industrial Tribunal cum Labour, Court Hyderabad dt 2-3-2006 and the consequential notification issued as illegal, arbitrary and set aside the same. iii consequently allow the ID No. 277 of 2002 on the file of Central Government Industrial Tribunal cum Labour Court Hyderabad, with a consequential direction to reinstate the petitioner into service with all consequential benefits such as continuity of service, back wages etc.

Counsel for the Petitioner: SRI POLALI VENKATESH

Counsel for the Respondents: SRI NANDIGAM KRISHNA RAO

The Court made the following: ORDER



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IN THE HIGH COURT FOR THE STATE OF TELANGANA AT

HYDERABAD

THE HON'BLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

Date : 20-01-2026

WRIT PETITION No.22424 of 2006

Between :

Lingam Rajaiah.

.. Petitioner

AND

The General Manager, Singareni Collieries Company
Limited.

.. Respondent

ORDER:

This writ petition is filed aggrieved by the Award dated 02.03.2006 passed by the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad (for short 'the Labour Court') in I.D.No.277 of 2002.

10-10-2025



2. Brief facts of the case are as follows :-

(a) The petitioner was appointed as a Coal Filler on 25.01.1983 in the respondent Company. On 15.10.1997, he was issued a charge-sheet alleging that he has instigated the coal fillers to go on strike on 13.10.1997 in the second shift, as a result of which, the Management lost 154 tones of coal and the workman lost wages of Rs.39,000/-. The petitioner submitted an explanation denying the allegations levelled against him. Having not satisfied with the explanation, ordered an enquiry and issued a show-cause notice on 09.09.1999 directing the petitioner to submit representation, if any. Pursuant to the said show-cause notice, the petitioner submitted a representation.

(b) Thereafter, the disciplinary authority, issued proceedings, dated 29.04.2000, dismissing the petitioner from service. Aggrieved thereby, the petitioner filed an appeal before the appellate authority and the same was dismissed on 25.07.2000 confirming the order dated



29.04.2000. Aggrieved thereby, a conciliation was raised, which was ended in failure. Thereafter, the Government of India referred the dispute to the Labour Court and the Labour Court dismissed the I.D.No.277 of 2002 on 02.03.2006. Challenging the said Award, the present writ petition is filed.

3. Learned counsel appearing for the petitioner submits that the Labour Court without properly appreciating the submissions made by the petitioner erroneously dismissed the I.D. The evidence on record discloses that there was no instigation on the part of the petitioner and there is no valid evidence to prove that the company lost 154 tones of output and wages to an extent of Rs.39,000/-. Therefore, appropriate orders be passed in the writ petition by setting aside the impugned orders and allow the writ petition.

4. The respondent filed a counter affidavit stating as follows :-

(a) On 13.10.1997, the petitioner organized and instigated strike demanding withdrawal of the warning



letters issued to the coal fillers for not filling two tubs causing a production loss of 154 tons and accordingly, a charge-sheet was issued to the petitioner and a domestic enquiry was conducted. As the charges levelled against the petitioner are proved, the respondent passed order dated 29.04.2000 dismissing the petitioner from service. Questioning the said order, the petitioner filed an appeal and the same was dismissed.

(b) Earlier, the petitioner was dismissed from service for a similar misconduct and he was reinstated into service. The petitioner has not examined any witness nor filed any documents before the Tribunal. The petitioner was given ample opportunity to defend himself and the Enquiry Officer has followed the principles of natural justice. The respondent passed the order dated 29.04.2000 dismissing the petitioner from service and the same was also confirmed by the Labour Court.

5. Learned Standing Counsel appearing for the respondent submits that the respondent, after hearing both



sides and after considering the material available on record, rightly dismissed the petitioner from service and the same was also confirmed by the Labour Court. Therefore, there are no merits in the writ petition and is liable to be dismissed.

6. Heard Sri Polali Venkatesh, learned counsel appearing for the petitioner and Sri Nandigam Krishna Rao, learned Standing Counsel appearing for the respondent.

7. In the instant case, the contention of the petitioner is that, without giving any opportunity, the respondent dismissed him from service vide proceedings dated 29.04.2000. However, the fact remains that the petitioner submitted a lengthy explanation to the respondent on 25.05.1999 in response to the show-cause notice issued by the respondent. After considering the explanation submitted by the petitioner, the respondent issued the proceedings dated 29.04.2000. Therefore, the contention



raised by the petitioner cannot be accepted, as the respondent issued the proceedings dated 29.04.2000 after giving a reasonable opportunity to the petitioner.

8. Aggrieved by the proceedings dated 29.04.2000, the petitioner filed I.D.No.277 of 2002 before the Labour Court. A perusal of the Award shows that the Labour Court observed that when there are grievances and issues between the Management and the workers, there is a prescribed procedure for redressing such grievances and resolving such issues by way of an amicable settlement between the Management and the workers. In the instant case, without following the said procedure, the petitioner was instigating the workers to go on strike against the Management. Due to his instigation, there was loss to the Company as well as to the co-workers.

9. Earlier, under similar circumstances, the petitioner had already been dismissed from service and was later reinstated, pursuant to the intervention of the Labour



Court. On the earlier occasion, after being dismissed from service in view of his illegal acts against the Management and subsequently reinstated pursuant to the Award passed by the Labour Court, the petitioner ought not to have repeated the same misconduct. He ought to have made an amicable settlement between the workers and the Management instead of instigating the workers to go on strike. In view of the said conduct of the petitioner, a loss of 154 tons of coal was caused to the Management, and wages amounting to Rs.39,000/- to the workers. Therefore, the respondent rightly issued the proceedings dated 29.04.2000 dismissing the petitioner from service.

The Labour Court, after hearing both sides and considering the material on record, rightly dismissed the I.D. Therefore, this Court does not find any ground to interfere with the Award passed by the Labour Court. Hence, the writ petition is devoid of merits and is liable to be dismissed.



10. Accordingly, the writ petition is dismissed. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

**SD/-HUSSAIN ALI
ASSISTANT REGISTRAR**

//TRUE COPY//

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SECTION OFFICER

To,

1. One CC to Sri Polali Venkatesh, Advocate [OPUC]
2. One CC to Sri Nandigam Krishna Rao, Advocate [OPUC]
3. Two CD Copies

TJ
BS



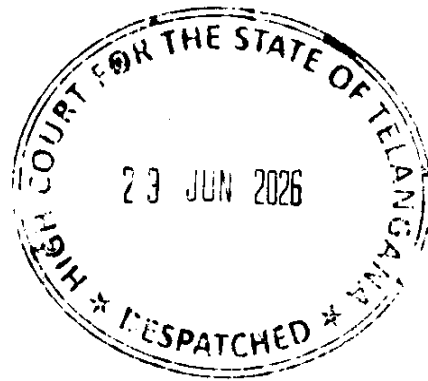
2026:TSHC:17949

HIGH COURT

DATED: 20/01/2026

ORDER

WP.No.22424 of 2006



**DISMISSING THE WRIT PETITION
WITHOUT COSTS**

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hpr
11/6/26