

C.R..P.(PD)(MD).No.59 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P(PD)(MD)No.59 of 2025

and

C.M.P(MD) Nos.345 and 2774 of 2025

The Management,
Madura Coats Private Limited,
Papanasam Mill Post,
Ambasamudram.

... Revision Petitioner

Vs.

The General Secretary,
Nellai – Chidambaranar District,
National Panchalai Workers Union,
Regn.No.219/TIN Annexed to N.L.O,
188, Kalliappar Street,
Tuticorin – 628 002.

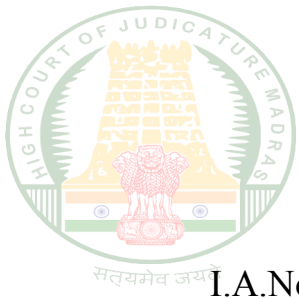
... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the impugned order passed in I.A.No.2 of 2023 in I.D.No.34 of 2023, dated 25.11.2024 by the Labour Court, Tirunelveli.

For Petitioner : Mr.T.Ravichandran
For Respondent : Mr.S.Kumar

ORDER

The present Civil Revision Petition has been filed by the Management challenging the order passed by the Labour Court, Tirunelveli District in



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I.A.No.2 of 2023 in I.D.No.34 of 2023, wherein the application filed by the Management seeking a direction as against the Trade Union for production of certain documents has been rejected.

2. The respondent Union has raised an industrial dispute under Section 2 (K) of the Industrial Disputes Act, before the Labour Court, Tirunelveli seeking the benefits of Settlement under Section 18(1) of the Industrial Dispute Act, dated 12.09.2018.

3. The Management has filed a counter contending that the petitioner is not a recognized trade Union and they cannot represent the employees of the petitioner Management. It is further submitted that the trade Union is not authorized to represent the employees of the petitioner Management to raise a dispute under Section 2(K) of the Industrial Disputes Act.

4. The petitioner Management has filed I.A.No.2 of 2023 seeking a direction to the Labour Court to produce 14 records from the Union so as to establish the fact that the Union is authorised to file petition under Section 2(k) of the Industrial Disputes Act.



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5. The Union has filed a counter contending that they are not liable to file the said document and such request cannot be made by the Management. The labour Court, after considering the submissions made on either side has proceeded to pass an order to the effect that the said issue could be considered at the time of trial and not by way of an independent application. Challenging the said order, the present Civil Revision Petition has been filed by the Management.

6. The learned counsel appearing for the petitioner Management submits that unless those documents are produced, the *locus standi* of the Union cannot be ascertained. In case, if the Union does not have any *locus standi*, the labour Court need not venture into the present case.

7. Per contra, the learned counsel appearing for the respondent Union submitted that the relevant documents that would establish the *locus standi* of the Union would be placed on record before the Labour Court.

8. Considering the above said facts, this Court is of the considered opinion that the Labour Court shall frame preliminary issue with regard to the



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maintainability/*locus standi* of the Union to file the petition under Section 2(k) of the Industrial Disputes Act. The Union shall place on record all the materials in order to convince the Court that they are having *locus standi* to file such an application.

9. With the above said observation, this Civil Revision Petition stands disposed of. After the disposal of the preliminary issue, depending upon the outcome of the preliminary issue, the Labour Court has to proceed in accordance with law. The said exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently connected Miscellaneous Petitions stand closed.

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NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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1. The Labour Court,
Tirunelveli.
2. The General Secretary,
Nellai – Chidambaranar District,
National Panchalai Workers Union,
Regn.No.219/TIN Annexed to N.L.O,
188, Kalliappar Street,
Tuticorin – 628 002.
3. The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR,J.

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