



WEB COPY

WP No. 25390 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-07-2026

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THE HON'BLE MR.JUSTICE K. SURENDER

WP No. 25390 of 2026

K.Varadarajan

..Petitioner(s)

Vs

1. M/s.Skalar Analytical India Pvt.Ltd
Represented by its Director
No.7/4, Pappathiammal Street
Jain Colony, Kodambakkam, Chennai-024.
2. The Appellate Authority/ Special Joint
commissioner of Labour
Chennai-06.

..Respondent(s)

Prayer: This Writ Petition is filed under Article 226 of constitution of India seeking direction the 1st respondent to implement and comply with the order dated 23.04.2025 passed in Appeal No.TNSE- I/ 05/ 2020 by the Appellate Authority/ Special Joint commissioner of Labour, Chennai (2nd Respondent), Specifically to reinstate the petitioner into service with immediate effect, to pay full back wages from the date of termination (24.12.2018) until the date of actual reinstate at the rate of the petitioners last drawn salary of Rs.1,65,825 /- per month (or the last drawn net salary of Rs.1,39,451 /- as per records), to treat the period from 24.12.2018 till reinstatement as continuous service with all consequential benefits, including seniority, promotions , and retrial benefits.

For Petitioner(s):

Mr.B.Hari Krishnan

For Respondent(s):

Mr.R.Chakkaravarthy Government Counsel for R2



ORDER

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This Writ Petition has been filed seeking direction the 1st respondent to implement and comply with the order dated 23.04.2025 passed in Appeal No. TNSE-I/05/2020 by the Appellate Authority / Special Joint Commissioner of Labour, Chennai (2nd respondent). Specifically, the petitioner seeks reinstatement into service with immediate effect, payment of full back wages from the date of termination (24.12.2018) until the date of actual reinstatement at the rate of his last drawn gross salary of Rs. 1,65,825/- per month (or the last drawn net salary of Rs. 1,39,451/- as per records), and a direction to treat the period from 24.12.2018 until reinstatement as continuous service with all consequential benefits, including seniority, promotions, and retiral benefits.

2. With the consent of the learned counsel appearing on either side, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. The brief facts of the case are that the petitioner was appointed as a Senior Application Chemist with the 1st respondent on 22.02.2007 and was subsequently promoted to the post of Product Manager. His services were terminated vide order dated 24.12.2018 on allegations of repetitive misbehaviour, without the issuance of any charge memo or show-cause notice,



and without conducting a domestic enquiry. Aggrieved by the said termination, the petitioner preferred an appeal under Section 41(2) of the Tamil Nadu Shops and Establishments Act, 1947, before the 2nd respondent Appellate Authority in Appeal No. TNSE-I/05/2020. By an order dated 23.04.2025, the Appellate Authority set aside the termination order and directed the 1st respondent to reinstate the petitioner with full back wages, continuity of service, and all consequential benefits. The case of the petitioner is that despite the clear mandate of the Appellate Authority, and notwithstanding personal representations, registered communications, and a formal legal notice, the 1st respondent has failed to comply with the order or reinstate him. Hence, the petitioner has approached this Court by way of the present Writ Petition.

4. Heard the submissions made by the learned counsel appearing on either side and perused the materials available on record.

5. Since the petitioner has already obtained a favourable order from the Appellate Authority, it is for the petitioner to approach the second respondent to enforce the order and seek the relief of employment. If the petitioner approaches the second respondent, the said authority shall consider the request and pass appropriate orders on merits and in accordance with law to ensure compliance



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6. With the above observations and directions, this Writ Petition stands disposed of. No costs.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

JAI

To

1. The Appellate Authority/ Special Joint commissioner of Labour
Chennai-06.

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