



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-07-2026

CORAM

THE HON'BLE MR.JUSTICE K. SURENDER

WP Nos.27216 and 27218 of 2025

M.Balasubramanian
S/o Muthukalai, Ramakrishna Raji Nagar /
Sadasiva Nagar, Madipakkam, Chennai 600 091

..Petitioner in both the
Writ Petitions

Vs.

The General Manager-HR,
Indian Overseas Bank,
P.B. No 3765, Central Office,
Anna Salai, Chennai 600 002

.. Respondent in both
the Writ Petitions

Writ Petition No.27216 of 2025 filed under Article 226 of the Constitution of India, calling for the records from the files of the Central Government Industrial Tribunal cum Labour Court, Chennai in I.D.No.14 of 2020 and quash the impugned Award passed therein, dated 08.05.2023 and consequently direct the Central Government Industrial Tribunal cum Labour Court, Chennai to restore I.D.No.14 of 2020 to files for adjudication on merits.

Writ Petition No.27218 of 2025 filed under Article 226 of the Constitution of India, calling for the records from the files of the Central Government Industrial Tribunal cum Labour Court, Chennai in I.D.No.14 of 2020 and quash the impugned order passed therein on 10.06.2025 and consequently direct the Central Government Industrial Tribunal cum Labour Court, Chennai to restore I.D.No.14 of 2020 to files for adjudication on merits.



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For Petitioner :

Mr.K.M.Ramesh, Senior Counsel
for Mr.V.Subramani in both writ petitions

For Respondent(s):

No appearance in both writ petitions

COMMON ORDER

Writ Petition No.27216 of 2025 is filed against Central Government Industrial Tribunal-cum-Labour Court, Chennai in I.D.No.14 of 2020, Chennai in the order dated 08.05.2023 in dismissing the said I.D.

2. Writ Petition No.27218 of 2025 is filed questioning the Central Government Industrial Tribunal-cum-Labour Court, Chennai in the order dated 10.06.2025, in dismissing the petition filed to restore I.D.No.14 of 2020, which was dismissed on 08.05.2023.

3. Facts of the case are that the petitioner - M.Balasubramanian, aggrieved by his dismissal from service, after the enquiry that was conducted, questioned the said dismissal order, dated 29.12.2016, by filing I.D.No.12 of 2020 before the Central Government Industrial Tribunal-cum-Labour Court, Chennai. Thereafter, a reference was made by the Central Government regarding the dismissal of the petition by the Ministry of Labour, for adjudication and the said reference reads as follows:

"Whether the action of the Management of Indian



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Overseas Bank, Chennai in imposing the punishment of dismissal from service on Sri M.Balasubramanian is legal and justified : If not, to what relief the concerned workman is entitled to ?"

4. The said reference by the Central Government was numbered as I.D.No.14 of 2020 before the Central Government Industrial Tribunal-cum-Labour Court and EPF Appellate Tribunal, Chennai. Since the issue involved in the said I.D.No.12 of 2020 filed by the petitioner and I.D.No.14 of 2020 referred to by the Central Government, was one and the same, they were clubbed.

5. I.D.No.14 of 2020 was dismissed on 08.05.2023 mainly on the ground that that though the petitioner was asked to serve a copy of the claim statement to the respondent, the petitioner did not choose to comply with the direction of the Tribunal. For the said reason, I.D.No.14 of 2020 was dismissed on 08.05.2023. Thereafter, the petitioner filed miscellaneous petition on 02.02.2024 before the Labour Court, seeking for restoration of I.D.No.14 of 2020, which was also dismissed on 10.06.2025, on the ground that the claim petition was not furnished to the respondent-Indian Overseas Bank.

6. Learned Senior Counsel appearing for the petitioner submitted that the



copy of the claim petition was furnished in I.D.No.12 of 2020 and the respondent-Bank filed counter.

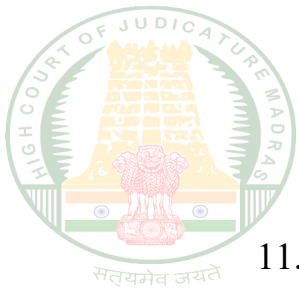
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7. A copy of the counter affidavit filed before the Labour Court in I.D.No.12 of 2020t, is filed before this Court in the typed-set of papers filed along with these writ petitions.

8. Both the orders dismissing I.D.No14 of 2020 on 08.05.2023 and the dismissal of the restoration petition on 10.06.2025 are only on the ground that the claim petition copy was not served on the respondent-Bank.

9. Both the orders do not reveal that any person from the respondent-Bank was present, when the orders were passed by the Labour Court and they have stated that the claim petition was not received by the Bank. Since the counter statement was already filed by the Bank in I.D.No.12 of 2020, it can be safely presumed that the claim petition was served on the respondent-Bank, which enabled them to file counter statement before the Tribunal.

10. As already stated, I.D.No.12 of 2020 was filed by the petitioner and I.D.No.14 of 2020 was on the basis of reference by the Government regarding the same issue of dismissal of petition. Both were clubbed. The counter in I.D.No.12 of 2020 was apparently filed on service of copy of claim petition.



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11. Since counter is filed in I.D.No.12 of 2020, it can be considered as counter in I.D.No.14 of 2020. But the impugned orders do not speak about the counter being filed in I.D.No.12 of 2020.

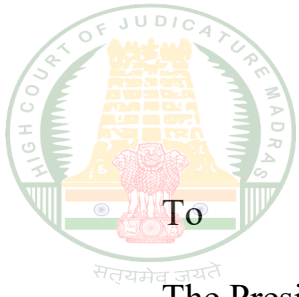
12. In view of the above discussion, both the orders passed by the Labour Court, deserve to be set aside and I.D.No.14 of 2020, which was clubbed along with I.D.No.12 of 2020, shall stand restored to the file of the Central Government Industrial Tribunal, Chennai.

13. Accordingly, the matter is remanded back to the Central Government Industrial Tribunal-cum-Labour Court, Chennai, and the Tribunal shall dispose of I.D.No.14 of 2020, along with I.D.No.12 of 2020, as expeditiously as possible, on merits and in accordance with law, after hearing both sides.

14. With the above observations, both the writ petitions are allowed.
There shall be no order as to costs.

23-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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WP No.s 27216 and 27218 of 2



To

The Presiding Officer,
Central Government Industrial Tribunal-cum-Labour Court, Chennai.



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WP No.s 27216 and 27218 of 2



K.SURENDER, J.

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