



WEB COPY



WA No. 1729 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-07-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

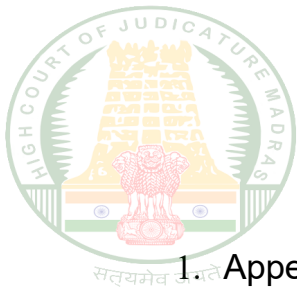
THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

**WA No. 1729 of 2026 AND
CMP NO. 15858 OF 2026**

1. The Chairman
(The Reviewing Authority For Officer
In Grade I And Iv) The Catholic
Syrian Bank Ltd Head Office Staff
Department St.Marys College Road
Thrissur 680020.
2. The General Manager
(Appellate Authority For Disciplinary
Proceedings), The Catholic Syrian Bank Ltd
Head, Office Staff Department St.Marys
College Road Thrissur 680020.
3. The Deputy General Manager
(Disciplinary Authority)
The Catholic Syrian Bank Ltd Head
Office Staff Department St.Marys
College Road Thrissur 680020
4. The Branch Manager
The Catholic Syrian Bank
Peravallur Branch
Chennai 600082.

Vs

..Appellants



WA No. 1729 of 2026

1. Appellate Authority
Under The Tamilnadu Shops And
Establishments Act 1947
Rep By Special Dy. Commissioner
Of Labour Office Of Labour
Commissioner 4th Floor Teynampet
Chennai 600006.

2. Raju Daniel
No.27 Sudha Nagar
Lakshmipuram, Kolathur
Chennai 600099

..Respondent(s)

Prayer : Writ Appeal under Clause XV of the Letters Patent to set aside the order dated 02.04.2025 in WP No. 6664 of 2025.

For Appellants : Mr.Anand Gopalan,
for M/s.Advit Law Chambers

For Respondent(s): Mr.C.Balasundar for R2

Judgment

(Judgment of the Court was delivered by S.M.Subramaniam J.)

Writ order dated 02.04.2025 passed in W.P.No.6664 of 2025 is under challenge in the present writ appeal.

2. Catholic Syrian Bank is the appellant herein. The second respondent filed an appeal before the competent authority under the Tamil Nadu Shops and Establishments Act challenging the order of termination



passed in the year 2013. Learned counsel for the appellant would submit that the appeal under Section 41 of the Act was filed in the year 2018, after a lapse of three and half years. Therefore, the appellant could not be able to produce all the enquiry proceedings before the competent authority. However, all those enquiry proceedings are served on the second respondent, who is the aggrieved person before the competent authority and he has a bounden duty to file all the documents to establish his case. Contrary to the said position, the writ Court has held that the appellants shall produce all the enquiry proceedings before the competent authority. Aggrieved by the said direction, the present writ appeal has been filed.

3. Learned counsel for the second respondent would submit that he has filed some of the documents to establish his case. It is not in dispute that he participated in the enquiry proceedings and all the proceedings relating to the departmental disciplinary proceedings were served on him. The second respondent filed an appeal after a lapse of three and half years. Therefore, it is for him to file all the relevant documents to establish his case before the competent authority. The burden of proof lies with the person who files an appeal before the authority at the first instance.



WA No. 1729 of 2026

WEB COPY

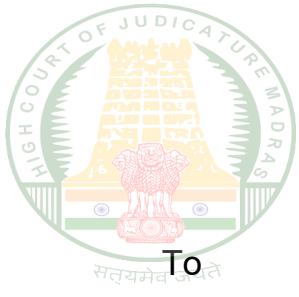
4. That being the principle, the findings of the writ court that the appellants shall produce all the enquiry proceedings before the shops authority alone is set aside and the second respondent shall produce all the documents available with him to establish his case before the competent authority under the Shops and Establishments Act. Regarding the direction of the writ court to conclude the proceedings as expeditiously as possible, the same stands confirmed.

5. With the above directions, this writ appeal is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S.,J.) (N.S.,J.)
06-07-2026

Index: Yes
Speaking order
Neutral Citation: Yes/No

KST



WA No. 1729 of 2026

To

WEB COPY

The Special Deputy Commissioner of Labour
(Appellate Authority Under The Tamilnadu Shops
And Establishments Act 1947)Office Of Labour
Commissioner 4th Floor Teynampet
Chennai 600006



WEB COPY



WA No. 1729 of 2026

**S.M.SUBRAMANIAM J.
AND
N.SENTHILKUMAR J.**

KST

**WA No. 1729 of 2026
AND
CMP NO. 15858 OF 2026**

06-07-2026

Page6 of 6