



W.P(MD)Nos.22806 & 26880 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2026

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)Nos.22806 & 26880 of 2022
and W.M.P(MD)Nos.16942 & 21058 of 2022

1.W.P(MD)No.22806 of 2022:

The Management,
Lakshmi Metal Industries,
Unit – 1, B Super 4, Industrial Estate,
Pettai, Tirunelveli – 627 010,
Represented by its Partner.

... Petitioner

Vs

M.Palani

... Respondent

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned order dated 10.08.2022 in I.D.No.39 of 2018 while deciding the preliminary issue passed by the Labour Court, Tirunelveli and quash the same as illegal.

For Petitioner : Mr.M.E.Ilango

For Respondent : Mr.D.Saravanan



W.P(MD)Nos.22806 & 26880 of 2022

WEB COPY

2.W.P(MD)No.26880 of 2022:

The Management,
Lakshmi Metal Industries,
Unit – 1, B Super 4, Industrial Estate,
Pettai, Tirunelveli – 627 010,
Represented by its Partner.

... Petitioner

Vs

M.Velu

... Respondent

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned order dated 11.11.2022 in I.D.No.37 of 2018 while deciding the preliminary issue passed by the Labour Court, Tirunelveli and quash the same as illegal.

For Petitioner : Mr.M.E.Ilango

For Respondent : Mr.D.Saravanan

COMMON ORDER

Challenging the impugned award dated 10.08.2022 passed in I.D. No.39 of 2018 and the impugned award dated 11.11.2022 passed in I.D. No.37 of 2018 by the Labour Court, Tirunelveli, the petitioners have filed the present Writ Petitions.



W.P(MD)Nos.22806 & 26880 of 2022

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2.Since the issues involved in these Writ Petitions are one and the same, they are taken up together and are disposed of by this common order.

3.The learned counsel appearing for the petitioner Management submitted that the respondents/workmen had indulged in serious acts of misconduct, including bringing disrepute to the Management, acts of insubordination, and other violations falling under Clauses 16(a), 16(j), 16(p), 16(v) and 16(y) of the Model Standing Orders. For the aforesaid misconduct, charge memos were issued to five workmen, including the two respondents who are before this Court. Since the explanations submitted by the workmen were found to be unsatisfactory, a full-fledged domestic enquiry was conducted after affording them adequate opportunity. Based on the findings of the Enquiry Officer, orders of dismissal were passed.

4.Aggrieved by the orders of dismissal, the respective workmen raised industrial disputes in I.D.Nos.39 of 2018 and 37 of 2018 on the file of



W.P(MD)Nos.22806 & 26880 of 2022

WEB COPY

the Labour Court, Tirunelveli. During the proceedings, the petitioner Management raised a preliminary issue with regard to the fairness and propriety of the domestic enquiry. However, according to the learned counsel, the Labour Court did not adjudicate the preliminary issue before proceeding with the industrial disputes. Challenging the said course adopted by the Labour Court, the present Writ Petitions have been filed.

5.The learned counsel for the petitioner Management further submitted that, during the pendency of the industrial disputes, three out of the five workmen entered into settlements with the petitioner Management and received lump sum compensation, namely, Rs.1,40,000/- in respect of M.Sitharaman, Rs.1,75,000/- in respect of K.Subhash and Rs.68,475/- in respect of Manikandan, towards full and final settlement of their claims. It is therefore submitted that this Court may also fix reasonable compensation in respect of the respondents herein so as to bring the entire dispute to a quietus.



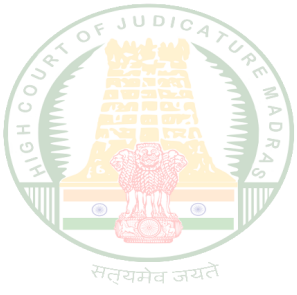
W.P(MD)Nos.22806 & 26880 of 2022

WEB COPY

6.The learned counsel appearing for the respondents/workmen fairly submitted that the respondents have no objection to resolving the dispute by way of payment of reasonable compensation and left it to the discretion of this Court to determine the appropriate amount.

7.This Court has considered the submissions made on either side.

8.Having regard to the fact that three similarly placed workmen have already settled their disputes with the petitioner Management by receiving lump sum compensation in the year 2021, this Court is of the view that a similar course may be adopted in the present cases also so as to put an end to the long-pending litigation. At the same time, the amounts paid in the year 2021 cannot be mechanically adopted after a lapse of nearly five years, having regard to the passage of time and the attendant circumstances.



W.P(MD)Nos.22806 & 26880 of 2022

WEB COPY

9.Insofar as M.Palani, the respondent in W.P(MD)No.22806 of 2022, is concerned, it is brought to the notice of this Court that he has already attained the age of superannuation during the pendency of the Writ Petition. Considering the overall facts and circumstances, this Court is inclined to fix a sum of Rs.1,50,000/- (Rupees One Lakh and Fifty Thousand only) as full and final compensation.

10.Insofar as M.Velu, the respondent in W.P(MD)No.26880 of 2022, is concerned, it is submitted that he still had several years of service remaining at the time of dismissal. Taking note of the said fact and in order to balance the equities, this Court is inclined to fix a sum of Rs.2,75,000/- (Rupees Two Lakhs and Seventy-Five Thousand only) as full and final compensation.

11.Accordingly, the petitioner Management is directed to pay a sum of Rs.1,50,000/- to M. Palani, the respondent in W.P(MD)No.22806 of 2022, and a sum of Rs.2,75,000/- to M.Velu, the respondent in W.P.(MD)No.



W.P(MD)Nos.22806 & 26880 of 2022

26880 of 2022, within a period of four (4) weeks from the date of receipt of a copy of this order.

12.Upon payment of the aforesaid amounts, the parties shall file a memo before the Labour Court, Tirunelveli. On being satisfied that the amounts have been paid and received towards full and final settlement of the disputes, the Labour Court shall record the settlement and close I.D.Nos.39 of 2018 and 37 of 2018 as settled.

13.With the above observations and directions, these Writ Petitions are disposed of. There shall be no order as to costs. Consequently, the connected Miscellaneous Petitions are closed.

06.07.2026

NCC : Yes / No
Index : Yes / No
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To
The Labour Court,
Tirunelveli.



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W.P(MD)Nos.22806 & 26880 of 2022

M.DHANDAPANI, J.

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W.P(MD)Nos.22806 & 26880 of 2022

06.07.2026