



W.P(MD)No.23099 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.23099 of 2023

The Secretary
Paper Mills Desiya Thozhilalar Sangam (INTUC)
No.20A, Kamaraj Bhavan
Nehru Street,
Udumalpet – 642 126.

... Petitioner(s)

vs.

The Management,
Amaravathy Sri Venkatesa Paper Mills Pvt Limited,
Midapadi, Swaminathapuram,
Madathukulam Taluk,
Dindigul - 642113.

... Respondent(s)

PRAYER : Writ Petition filed under Article 226 of Constitution of India, praying this Court to issue of Writ of Certiorarified Mandamus, to call for the records of the order passed by learned presiding officer labour court Tiruchirapalli at Dindigul camp in I.D.No.5 of 2021 dated on 13.12.2022 and quash the same and consequently directing the respondent to pay salary and other benefits to the members of the petitioner.



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For Petitioner : Mr. S. Karthik
For Respondent : Mr.No appearance

ORDER

This writ petition has been filed challenging the award dated 13.12.2022 passed by the Labour Court and consequently seeking a direction to the respondent to pay salary and other benefits to the members of the petitioner.

2. The learned counsel appearing for the petitioner would submit that the petitioner is an association, namely, Paper Mills Desiya Thozhilalar Sangam. The petitioner filed a petition before the Labour Court, Tiruchirappalli, Dindigul Camp, for himself and on behalf of 39 workmen claiming lay-off compensation. Though various claims were raised, the Government referred only Claim No.2, namely, the claim for lay-off compensation for the period from 01.04.2019, enhancement of wages and bonus for the years 2014-15, 2015-16 and 2016-17. Therefore, the petitioner Union raised an industrial dispute before the Labour Court on 01.07.2019. However, the same was rejected by the Labour Court by its award dated 13.12.2022. Challenging the same, the present writ petition has been filed.



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3. The learned counsel appearing for the petitioner would further submit that the petitioner Union is a registered trade union. Under the respondent Management, 140 workers are working and they were not provided with their wages from December 2017, January to April 2018 and April and May 2019 by the respondent Management. Further, the Management failed to provide lay-off wages from 01.04.2019 till date to its workers. Thereby, they raised a dispute before the Government. The Government forwarded the dispute to the Labour Court for proper adjudication. However, the Labour Court came to the conclusion that the mill itself was closed and had not started functioning. Hence, their claim was rejected, which is not sustainable. The respondent Management possesses valuable properties and compensation can be paid to the petitioner workers. Accordingly, he prayed for setting aside the impugned award.

4. This Court has carefully considered the submissions made by the learned counsel appearing for the petitioner and perused the materials available on record.



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5. Admittedly, the Labour Court, upon appreciation of the oral and documentary evidence, found that the respondent mill had remained closed and had not resumed its operations. In the absence of any material to establish that the Management had continued its operations or that the workmen were entitled to lay-off compensation for the period claimed, the Labour Court rightly rejected the claim. The findings recorded by the Labour Court are based on the evidence available on record and do not suffer from any perversity or illegality warranting interference under Article 226 of the Constitution of India. The mere fact that the respondent Management possesses valuable properties cannot, by itself, entitle the workmen to lay-off compensation in the absence of a statutory or contractual right. This Court finds no infirmity in the impugned award passed by the Labour Court.

6. Accordingly, the writ petition stands dismissed. No costs.

22.07.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes

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To

The Management,
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M.DHANDAPANI,J.

PKN

**ORDER MADE IN
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