



C.R.P(MD)No.2911 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2026

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

C.R.P(MD)No.2911 of 2025

and

C.M.P(MD)No.16667 of 2025

The Management,
Sundaram Textiles Private Limited,
Nambi Nagar, Nanguneri – 627 108,
Tirunelveli District.

... Petitioner

Vs

V.S.Velayudham

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to call for the records relating to the order and decreetal order dated 11.08.2025 in E.A.No.1 of 2025 in E.P.No.10 of 2021 in I.D.No.68 of 2006 on the file of the Labour Court, Tirunelveli and set aside the same.

For Petitioner : Mr.A.Sivasubramanian
for Mr.M.Pandiarajan

For Respondent : No appearance



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ORDER

This Civil Revision Petition has been filed challenging the fair and decreetal order dated 11.08.2025 passed in E.A.No.1 of 2025 in E.P.No.10 of 2021 in I.D.No.68 of 2006 on the file of the Labour Court, Tirunelveli.

2.The learned counsel appearing for the petitioner submitted that the respondent was employed under the petitioner Management as a Tender and was subsequently terminated from service. Aggrieved by the order of termination, the respondent raised an industrial dispute under Section 2-A(2) of the Industrial Disputes Act, 1947, in I.D.No.68 of 2006 before the Labour Court, Tirunelveli. The Labour Court, by its award dated 01.07.2011, partly allowed the industrial dispute by directing continuity of service along with the consequential monetary and service benefits.



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3. Aggrieved by the said award, the petitioner Management preferred W.P.(MD)No.6363 of 2012 before this Court. By order dated 08.03.2021, this Court dismissed the Writ Petition, thereby confirming the award passed by the Labour Court.

4. Thereafter, the respondent initiated execution proceedings in E.P.No.10 of 2021 before the Labour Court seeking implementation of the award dated 01.07.2011. The petitioner filed a detailed counter affidavit and both parties led in their evidence. After completion of the evidence, the respondent filed E.A.No.1 of 2025 seeking to reopen the execution proceedings for the purpose of putting certain questions to the Vice Chairman of the petitioner Management. The Labour Court, by the impugned order dated 11.08.2025, allowed the said application, reopened the execution proceedings and granted liberty to the respondent to file an appropriate application for cross-examining the Vice Chairman of the petitioner Management. Challenging the said order, the present Civil Revision Petition has been filed.



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5.The learned counsel appearing for the petitioner submitted that the petitioner Management is ready and willing to provide employment to the respondent in terms of the award passed by the Labour Court. However, according to the petitioner, the respondent refused to join duty and instead proceeded with the execution petition. It is further submitted that, after completion of the evidence, there is absolutely no necessity to reopen the proceedings or permit further examination of the Vice Chairman. The scope of the execution proceedings is confined to implementation of the award, which has already attained finality upon its confirmation by this Court. The Executing Court cannot travel beyond the terms of the award or undertake a fresh adjudication. Therefore, the impugned order is liable to be set aside.

6.Though the name of the respondent is printed in the cause list, none appeared on behalf of the respondent either in person or through counsel. Hence, this Court proceeds to dispose of the Civil Revision Petition on the basis of the available materials on record.



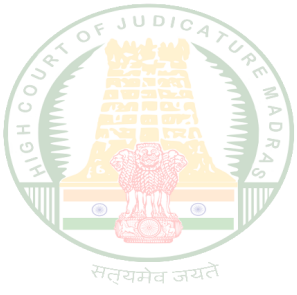
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7.This Court has carefully considered the submissions made by the learned counsel appearing for the petitioner and perused the materials available on record.

8.Admittedly, the award passed by the Labour Court in I.D.No.68 of 2006 has already been confirmed by this Court in W.P.(MD)No.6363 of 2012 and has attained finality. The execution proceedings are, therefore, confined only to the implementation of the said award. It is well settled that an Executing Court cannot travel beyond the decree or award sought to be executed and cannot enlarge the scope of the original proceedings.

9.In the present case, it is not in dispute that the parties had already adduced their evidence in the execution proceedings. Thereafter, the respondent filed the application for reopening the proceedings for the purpose of putting certain questions to the Vice Chairman of the petitioner Management. Such a course would only result in reopening issues which are



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beyond the limited scope of the execution proceedings and consequently delay the implementation of the award.

10.In the considered opinion of this Court, the Labour Court is not justified in allowing E.A.No.1 of 2025. The impugned order suffers from material irregularity in the exercise of jurisdiction and is, therefore, liable to be interfered with.

11.Accordingly, the fair and decreetal order dated 11.08.2025 passed in E.A.No.1 of 2025 in E.P.No.10 of 2021 in I.D.No.68 of 2006 on the file of the Labour Court, Tirunelveli, is set aside and this Civil Revision Petition is allowed.

12.The Labour Court, Tirunelveli, is directed to proceed with E.P.No.10 of 2021 from the stage at which it stood prior to the filing of E.A.No.1 of 2025 and dispose of the execution proceedings, strictly in accordance with law and in the light of the award already confirmed by this



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Court, as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

01.07.2026

NCC : Yes / No
Index : Yes / No
ps

To

The Labour Court,
Tirunelveli.



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M.DHANDAPANI, J.

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