



W.P(MD)No.32792 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.08.2026

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.32792 of 2025

and

**WMP (MD) Nos.10161, 10155, 10156, 10082, 10152 to 10154, 10157 to 10160,
10162 of 2026 and 25852 of 2025**

1. Deputy Director of Horticulture
Office of the Deputy Director of Horticulture
Integrated Agricultural Extension Centre,
Near Uzhavar Sandhai (Farmers Market),
Tenkasi – 627 811.

2. Administration
Eco Park,
Courtallam, Tenkasi – 627 802.

... Petitioner(s)

VS.

General Secretary,
Tenkasi Taluk General Workers Union,
(C.I.T.U), Sara Building, First Floor,
Near Bus Stand,
Tenkasi,
Tenkasi District.

... Respondent(s)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Certiorari, calling for the records relating to



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impugned order dated 07.08.2025 passed by the learned Labour Court, Tirunelveli in Industrial Dispute No.130 of 2000 and quash the same as illegal.

For Petitioners : Mr. B.Saravanan, AAG
assisted by Ms.K.R.Shivashankari, AGP

For Respondent : Ms.D.Geetha

ORDER

Challenging the award dated 07.08.2025 passed by the Labour Court, Tirunelveli, the petitioners have filed the present writ petition.

2. The learned counsel appearing for the petitioner would submit that the members of the respondent Union were engaged only as casual employees. They were not appointed to any regular post through the prescribed recruitment process. After rendering service for some time, the respondent Union raised an industrial dispute in I.D.No.130 of 2000, seeking regularisation and consequential benefits. The Labour Court dismissed the industrial dispute on the ground that the petitioner Department was not an “industry”. Challenging the same, the petitioner preferred a writ petition in W.P.(MD) No.1191 of 2010 before this Court. This Court, by its order dated 18.06.2018, allowed the the writ petition. Aggrieved



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thereby, the petitioner preferred Writ Appeal (MD) No.1518 of 2018. The Division Bench, by judgment dated 06.01.2025, remanded the matter to the Labour Court with specific directions to decide the industrial dispute after framing and answering the issues indicated by the Division Bench. Pursuant to the said judgment, the Labour Court reconsidered the matter. However, without framing and deciding the issues as directed by the Division Bench, the Labour Court allowed the industrial dispute filed by the respondent Union. Challenging the said award, the present writ petition has been filed.

3. The learned Additional Advocate General appearing for the petitioner would submit that the impugned award is liable to be set aside solely on the ground that the Labour Court failed to comply with the specific directions issued by the Division Bench. Therefore, the matter may be remanded to the Labour Court for fresh consideration strictly in accordance with the issues framed by the Division Bench in Writ Appeal (MD) No.1518 of 2018.

4. Per contra, learned counsel appearing for the respondent Union would submit that the members of the respondent Union were engaged as casual



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employees and had rendered service for more than a decade. Relying upon the decision of the Hon'ble Supreme Court in *State of Karnataka v. Umadevi* , it is contended that employees who have put in long years of service are entitled to have their claim for regularisation considered in accordance with law. It is further submitted that the petitioner had never pleaded before the Labour Court that the workmen were disentitled to regularisation on the ground that they were not appointed through the regular recruitment process and that such contention is raised for the first time before this Court, which is impermissible. However, learned counsel for the respondent fairly submitted that the Labour Court has not framed or decided the issues in the manner directed by the Division Bench and therefore, has no serious objection if the matter is remanded to the Labour Court for fresh consideration in terms of the directions issued by the Division Bench.

5. Accordingly, the writ petition is allowed. The impugned award dated 07.08.2025 is hereby set aside. The matter is remanded to the Labour Court for fresh adjudication strictly in accordance with the issues framed by the Division Bench in Writ Appeal (MD) No.1518 of 2018. The Labour Court shall dispose of the industrial dispute, on its own merits and in accordance with law,



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preferably within a period of six months from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

06.08.2026

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

To

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M.DHANDAPANI,J.

PKN

**ORDER MADE IN
W.P(MD)No.32792 of 2025**

**DATED : 06.08.2026
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