



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.03.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.21052 of 2016
and
W.M.P. (MD) No.15052 of 2016

Management
Selson Plastic Industries
No.1A, Sankarankoil Road,
Thachanallur post - 627 358
Tirunelveli District (Since Closed)
Presently represented by
M/s.Surya Pipe Company
No.1A, Sankarankoil Road,
Thachanallur post - 627 358
Tirunelveli District,
through its Proprietor
R.Vijaya Rani

... Petitioner

Vs.

1. E.Mari

2. The Presiding Officer,
Labour Court,
Tirunelveli.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the records relating to the award dated 29.06.2016 passed in I.D.No. 74 of 2015, on the file of the second respondent herein and to quash the same by allowing the above writ petition.

For Petitioner	: Mr.N.Subramanian
For R-1	: No appearance
R-2	: Labour Court

O R D E R

Heard the learned counsel appearing for the petitioner.
There is no appearance on behalf of the first respondent.



first respondent herein. The first respondent herein was admittedly employed in the petitioner's company. The first respondent raised an industrial dispute before the Labour Court and contended that the Management has not provided with him any employment. The Labour Court by award dated 29.06.2016 directed the petitioner herein to pay a sum of Rs.66,000/- to the first respondent herein. The same is under question in this Writ Petition.

3.The learned counsel appearing for the petitioner/Management would contend that while lodging his claim before the Provident Fund authorities, the workman had claimed that he had voluntarily retired from service. The application said to have been filed by the workman was not marked before the Labour Court.

4.This Court posed a specific question to the learned counsel for the petitioner as to whether the Management can produce the letter written by the workman seeking to go on voluntary retirement. But, there is no response to the said query. This Court therefore comes to the conclusion that no material has been placed either before the Labour Court or before this Court to show that the workman went on voluntary retirement. In these circumstances, the allegation made by the workman stands made out. More than anything else, what was awarded by the Labour Court was only a small sum of Rs.66,000/-. No case is made out to interfere with this award. There is no merit in this Writ Petition.

5.This Writ Petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To

The Presiding Officer,
Labour Court, Tirunelveli.

+ 1 CC TO Mr.N.SUBRAMANIAN, ADVOCATE IN SR No. 56299

TSG

TE/RSK/SAR-4 : 11/05/2018 : 2P/3C