

IN THE HIGH COURT OF JUDICATURE AT MADRAS

( Civil Appellate Jurisdiction )

Thursday, the Twenty Fourth day of June Two Thousand Twenty One

PRESENT

THE HON`BLE MR JUSTICE M.M.SUNDRESH

AND

THE HON`BLE MS JUSTICE R.N. MANJULA

CMP No.26633 of 2019  
IN WA.NO.4269 OF 2019

THE MANAGEMENT OF ADDISON [ PETITIONER ]  
AND CO LTD, NO.803 ANNA SALAI,  
CHENNAI-600023

Vs

1 THE PRESIDING OFFICER [ RESPONDENTS ]  
PRINCIPAL LABOUR COURT, CHENNAI

2 K.BALASUBRMANIAN  
NO.205 4TH CROSS STREET, SIVASAKTH  
NAGAR(EXTENSION), KOLATHUR,  
CHENNAI-600099

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to grant interim stay of the operation of the Award dt. 31/05/2013 made in ID No. 350/2000 by Principal Labour Court at Chennai as confirmed by the Learned Judge by its order dt. 27/08/2019 in WP NO.24408/2013 IN CMP.NO.26633 OF 2019.

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.SHIVATHANU MOHAN, ADVOCATE FOR M/S.S.RAMASUBRAMANIAM AND ASSO, Advocate for the petitioner and of MR.S.RAVI, ADVOCATE on behalf of the 2ND Respondents the court made the following order:-

[Order of the Court was made by *M.M.SUNDRESH, J.*]

Learned counsel appearing for the petitioner submitted that the Labour Court and the learned Single Judge have committed error in misconstruing the standing orders in a technical way without even dislodging the finding given in the domestic enquiry that the second respondent/employee did commit an offence of assault.

2. Learned counsel appearing for the second respondent submitted that the alleged offence occurred outside the premises of the factory. The finding of the Labour Court as confirmed by the learned Single Judge does not warrant interference.

3. The Labour Court and the learned Single Judge have given technical interpretation of the standing orders as contended by the learned counsel for the petitioner. The issue *qua* the assault by the second respondent/ employee has not been considered by the learned single Judge.

4. Considering the above, interim stay already granted is extended pending disposal of the appeal. This miscellaneous petition is disposed of accordingly.

5. Post the appeal for final hearing on 07.09.2021.

-sd/-

24/06/2021

/ TRUE COPY /

Sub-Assistant Registrar ( Statistics / C.S. )  
High Court, Madras - 600 104.

TO

1 THE PRESIDING OFFICER  
PRINCIPAL LABOUR COURT, CHENNAI

Order

in

CMP.26633/2019  
IN WA.NO.4269 OF 2019

Date :24/06/2021

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