



W.P.No.8364 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.8364 of 2021
and WMP Nos.8918 of 2021 and 26487 of 2022

The Management
MRF Limited
Thiruthani Road,
Ichiputhur
Arakonam 631 003
Rep by its General Manager

... Petitioner

Vs

T.Sekar (Employee No.1081)

... Respondent

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari to call for the records of the Industrial Tribunal, Tamil Nadu, Chennai dated 07.01.2020 in Approval Petition No.26 of 2012 and quash the same.

For Petitioner ... Mr.Anand
for M/s T.S.Gopalan & Company

For Respondent ... Mr.V.Prakash
Senior Advocate for
Ms.K.Sindhuja



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ORDER

The petitioner has challenged the order dated 07.01.2020 passed by Industrial Tribunal, Chennai in Approval Petition No.26 of 2012, under which, a finding has been given that the Enquiry conducted by the petitioner Management against the respondent/workman is not fair and proper.

2. Admittedly, as seen from the impugned order, the contentions of the respective parties to the dispute viz., the petitioner as well as the respondent, have not been considered. Therefore, by consent of the respective parties given by their respective counsels, the following directions are issued:-

- i) The impugned order dated 07.01.2020 passed by the Industrial Tribunal, Chennai in Approval No.26 of 2012, in which, it has been held that the Enquiry conducted by the petitioner Management against the respondent/workman is not fair and proper is hereby quashed and the matter is remanded back to the Industrial Tribunal, Chennai for fresh consideration on merits and in accordance with law within a time frame to be fixed by this Court.



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ii) The Industrial Tribunal, Chennai shall pass final orders on merits and in accordance with law on the preliminary issue as to whether the Enquiry has been conducted in a fair and proper manner or not after giving due consideration to the contentions of the respective parties by a speaking order within a period of four weeks from the date of receipt of a copy of this order.

3. This Court is not expressing any opinion on the merits of the respective contentions.

With the aforesaid direction, the writ petition is disposed of. No costs.
Consequently, connected miscellaneous petitions are closed.

12.12.2022

Index: Yes/ No
Speaking Order/Non-speaking Order
SR

ABDUL QUDDHOSE, J.

SR



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To

The Industrial Tribunal, Chennai

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