

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.09.2022**

CORAM

THE HON'BLE MRS JUSTICE J. NISHA BANU
AND
THE HON'BLE MR JUSTICE N. ANAND VENKATESH

W.A.(MD)No.933 of 2011
and
M.P(MD)Nos.1 of 2011 and 1 of 2012

The Management
Ramanathapuram District Co-operative,
Spinning Mills
Achankulam, Kamudi Taluk,
Ramanathapuram.

... Appellant/ Writ Petitioner

/Vs./

1.The Presiding Officer,
Labour Court, District Court Building
Mellur Road,
Madurai.

.. 1st Respondent/1st Respondent

2.M.Ramachandran

.. 2nd Respondents/2nd Respondent

PRAYER: Appeal filed under Clause 15 of the Letters Patent, praying this Court, the order of the learned Single Judge, dated 20.06.2011, passed in W.P(MD)No.9832 of 2005 is liable to be set aside.

For Appellant	: Mr.T.Ravichandran
For R2	: Mr.R.Narayanan
For R1	: Court

JUDGMENT

J. NISHA BANU,J.

and

N. ANAND VENKATESH,J.

This Writ Appeal has been filed by the Management challenging the order passed by the learned Single Judge in W.P(MD)No.9832 of 2005, dated 20.06.2011.

2.The appellant filed the writ petition questioning the award passed by the Labour Court, on 26.02.2004 directing the appellant to reinstate the second respondent with continuity of service and 50% of backwages.

3.The learned Single Judge considered the order passed by the Labour Court in detail after taking into consideration the charge memo issued against the second respondent and found that there was no ground to interfere with the award.

4.Heard Mr.T.Ravichandran, learned counsel appearing for the appellant and Mr.R.Narayanan, learned counsel appearing for the second respondent.

5.In the considered view of this Court, the learned Single Judge has given sufficient reasons by relying upon the relevant judgment of the Hon'ble Apex Court, while dismissing the writ petition. We do not find any ground to interfere with the same. That apart, it was also brought to the notice of this Court that the appellant Mill was already closed and all the employees were settled and it has been taken over by the Government vide G.O.Ms.No.58 Handooms, Handicrafts, Textiles & Khadi (C1) Department, dated 07.04.2005. This is one more reason as to why we do not intend to interfere with the order passed by the learned Single Judge and once again deal with the award passed by the Labour Court on merits.

6.In view of the above discussion, this Writ Appeal stands dismissed.
No costs. Consequently, connected miscellaneous petitions are closed.

(J.N.B.,J.) (N.A.V.,J.)
21.09.2022

Index : Yes/No
Internet : Yes
Ns

WA(MD)No.933 of 2011

J. NISHA BANU,J.

and

N. ANAND VENKATESH,J.

Ns

To:

- 1.1.The Presiding Officer,
Labour Court, District Court Building
Mellur Road,
Madurai.
- 2.The Record Keeper,
Vernacular Records Section,
Madurai Bench of Madras High Court,
Madurai.

Judgment made in

W.A.(MD)No.933 of 2011

and

M.P(MD)Nos.1 of 2011 and 1 of 2012

Dated

21.09.2022