



**W.P.(MD).No.10768 of 2014**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 24.11.2022**

**CORAM**

**THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.P.(MD).No.10768 of 2014**

**and**

**M.P.(MD).No.1 of 2014**

M.Velusamy

... Petitioner

**Vs.**

1.The Presiding Officer,  
Labour Court,  
Madurai.

2.P.S.Thangaraj

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records relating with the order of the first respondent made in I.D.No.66 of 2011 dated 17.03.2014 and quash the same as it is arbitrary and illegal.

For Petitioner : Mr.R.Suriya Narayanan

For R-1 : Labour Court.

For R-2 : No Appearance.



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## **ORDER**

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This Writ Petition is filed challenging the order passed by the first respondent in I.D.No.66 of 2011 dated 17.03.2014.

2. The case of the petitioner is that the petitioner had a tea stall started from the year 2002 and the second respondent had worked in the petitioner's tea stall from December 2002 and the second respondent left the job on his own in September 2005 and has not reported to duty thereafter. However, the second respondent has raised Industrial Dispute before the Labour Court stating that he was not granted job thereafter. But the Labour Court has held that the second respondent has not substantiated his claim through proper evidence. After analyzing the entire case, the Labour Court has come to the conclusion that the second respondent is not eligible for reinstatement and directed the petitioner to pay Rs.20,000/- as compensation to the second respondent.

3. This Court is of the considered opinion that the Labour Court has applied the principles of equity and has come to the right conclusion that the second respondent is eligible only for compensation. The petitioner has not raised any legally sustainable ground. The order passed by the Labour Court is confirmed.



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4. Hence, this Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

**24.11.2022**

Index : Yes / No  
Internet : Yes/ No  
Nsr

To

The Presiding Officer,  
Labour Court,  
Madurai.



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**S.SRIMATHY, J.**

Nsr

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