



W.P.(MD)No.7432 of 2014

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.11.2022**

CORAM

THE HON'BLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.7432 of 2014

P.Ayyadurai

... Petitioner

Vs.

1. The Management,
M/c.Veesons Energy Systems (P) Ltd.,
C-14/2, Industrial Estate,
Thuvakudi,
Tiruchirappalli.

2. The Presiding Officer,
Labour Court,
Trichy.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the award passed in I.D No. 135 of 2009 on 6th August, 2013 by the learned Labour Court, Trichirappalli and quash the same and further directs the respondents herein to treat the termination period as duty and to pay the back urges and other consequential service and retirement benefits to the petitioner.



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For Petitioner : M/S.T.Banumathy

For R1 : Mr.Y.Prakash

For R2 : Labour Court

ORDER

This Writ Petition is filed challenging the impugned order passed in I.D.No.135 of 2009, dated 06.08.2013.

2. The claim of the petitioner is that the first respondent did not allow the petitioner to carry on his duty. However, the Management before the Labour Court has consistently taken a stand that the respondent never ever stopped the petitioner from reporting to duty. It is the petitioner on his own did not report to the duty. The petitioner tried to convince the Labour Court through filing the Ex.W3 which is an entry pass. The Labour Court has rejected the said evidence by stating that in the entry pass, there is no entry of time. Therefore, the Labour Court refused to accept it. The petitioner also attained superannuation.



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Therefore, the Labour Court has refused to reinstate the petitioner. As far as the backwages is concerned, the Labour Court has given a valid reason by stating that the petitioner was never terminated by the first respondent and it was the petitioner who refused to attend his duty and denied the backwages also.

3. This Court is of considered opinion that the petitioner has not raised any legally sustainable ground to interfere with the Labour Court order and hence the order of the Labour Court is confirmed.

4. With the above observation, this Writ Petition is dismissed.

No costs.

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Index : Yes / No
Internet : Yes / No
jbr



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S.SRIMATHY, J

jbr

Order made in
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