



W.P.No.806 of 2021 and
W.M.P.No.869 of 2021

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2023

CORAM

THE HONOURABLE MRS. JUSTICE **R. HEMALATHA**

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The Management of NIFCO South India
Manufacturing Pvt. Ltd.,
New No.50, Old No.109, Mannur Village,
Valarpuram Post,
Sriperumbudur Taluk,
Kancheepuram District 602 105.
Rep. by its General Manager-Admin,
Authorised Signatory

... Petitioner

Vs.

L.Senthil Kumar

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India,
seeking a Writ of Certiorari, calling for the records of the Labour Court,
Kancheepuram in I.D.No.764 of 2018, dated 04.03.2020 and quash the
same.

For Petitioner : Mr.G.Ananda Krishnan for
M/s.T.S.Gopalan & Co.

For Respondent : Mr.S.Kumaraswamy



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ORDER

The main grievance of the Writ Petitioner is that the Labour Court, Kancheepuram while coming to the conclusion that the respondent is a workman under Section 2 (s) of the Industrial Disputes Act, had not taken into consideration the documents Ex.M1 to Ex.M28 which would clearly go to show that the respondent was in the Supervisory Cadre.

2. A perusal of the orders, dated 04.03.2020 passed by the Presiding Officer, Labour Court, Kancheepuram in I.D.No.764/2018 shows that the Labour Court had not taken into account the documents submitted by the Writ Petitioner/Management and had come to the conclusion that the respondent/Workman is within the meaning of Section 2 (s) of the Industrial Disputes Act.

3. In the circumstances, the case is remanded back to the Labour Court, Kancheepuram to pass orders in I.D.No.764/2018 on



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merits after considering the documents produced by the petitioner/Management in Ex.M1 to Ex.M28, as expeditiously as possible.

With the above observation, this Writ Petition is disposed of.

No costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/No
Speaking/Non-Speaking order
vum



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