



W.P.No.25102 of 2019
and W.M.P.No.24672 of 2019

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2023

CORAM

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

W.P.No.25102 of 2019
and W.M.P.No.24672 of 2019

The Management of Waterfall Estate
(East) Pvt. Ltd.,
Waterfall Estate Post, Via. Pollachi,
Coimbatore District - 642 105
Represented by its Group Manager - Plantations ... Petitioner

Vs.

P.Ravi ... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records pertaining to the orders dated 26.02.2019 in A.P.No.45/2010 passed by the Industrial Tribunal, Chennai and quash the same.

For Petitioner : Mr.G.Anandakrishnan
for M/s.Agam Legal Advocates

For Respondent : No appearance



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ORDER

The respondent was employed as a General Worker in the petitioner Company. The writ petitioner is engaged in Tea Plantation. On 08.02.2005, the Management of the Company found that one R.Gopal had stolen tea bags from the factory. In this regard, a show cause notice was issued to the respondent on 18.02.2005 stating that he is also involved in the theft committed by one Gopal. Thereafter, a domestic enquiry was conducted and the Enquiry Officer held that the charges against the respondent were proved. Thereafter, a second show cause notice was issued to the respondent and after getting explanation from him, he was dismissed from service.

2. The Management Officials filed an Approval Petition under Section 33(2) (b) of the Industrial Disputes Act before the Presiding Officer, Industrial Tribunal, Chennai in A.P.No.45/2010. The learned Presiding Officer, Industrial Tribunal, Chennai vide his orders dated 26.02.2019 dismissed the petition on the ground that the Management has not framed a specific charge against the respondent / workman. It is



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R. HEMALATHA, J.

mtl

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