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W.A.Nos.3257, 3258 & 3259 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

Writ Appeal Nos.3257, 3258 and 3259 of 2024
and CMP Nos.25273, 25272 and 25282 of 2024

M/s. Chennai Petroleum Corporation Ltd,
Manali, Chennai 600 068

Rep by its Company Secretary. ... Appellant in all the petitions

Vs.

1. MRL Industrial Co-op, Service Society Limited,
Manali, Chennai – 600 068
Rep by its Assistant Director,
(Industrial Co-operative)
Mr.P. Krishnamurthy

... 1st respondent in all the petitions

2. S. Chellappan

... 2nd Respondent in WA 3257/2024

Thulasiraman

... 2nd Respondent in WA 3258/2024

V.Lakhsmanan

... 2nd Respondent in WA 3259/2024

Prayer: Writ Appeals filed under Clause 15 of the Letters Patent, to set aside
the order dated 08.11.2023 made in (i) W.P. No.30641 of 2018 (ii) WP



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No.13192 of 2019 (iii) WP No.30640 of 2018 respectively, in so far as the Impugned Order deals with undertaking given by the Appellant that they are ready to reinstate the second respondent.

For Appellant : Mr.Sanjay Mohan
(in all the petitions) for M/s.S.Ramasubramaniam and Associates

Respondent : Mr. C.Manohar Gupta
for Mr.M.Muralivinoth, for R1
in WA 3257/2024

Mr.Ganesh & Ganesh – Caveator for R1
in WA 3258 & 3259/2024

COMMON JUDGMENT

(Judgment of the Court was delivered by R.SUBRAMANIAN, J.)

The appellant in all the Appeals feels aggrieved by the order of the Writ Court directing reinstatement of the employees by the first respondent Society. Though the operative portion of the order in paragraph 11 directs the Society viz. the first respondent herein in all the Appeals, to reinstate the workmen concerned in para 8 of the order, an observation is made to the effect that the appellant has given an undertaking before the Hon'ble Supreme Court that it is ready to reinstate the employees, if they succeed



before the Labour Court. The order of the Hon'ble Supreme Court in Civil Appeal Nos.1455 and 1456 of 2013 has been placed before us and the relevant observations of the Hon'ble Supreme Court read as follows:

“We make it clear that in case the employees succeed in getting their dismissal set aside from the Labour Court and the society reinstates them pursuant to such an award and deploys them to work with the appellant- Corporation, the Corporation shall not object to any such deployment and shall allow them to work on conditions as are otherwise applicable to workman deployed under the terms of the contract between the Corporation and the Society.”

2. This observation would only mean that reinstatement must be by the first respondent society and the appellant Corporation will not object to such reinstatement. We make it clear that the reinstatement directed by the Hon'ble Single Judge as well as the Labour Court will be only as against the first respondent Society and not the appellant.



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3. The Appeals are disposed of with the above observation. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

(R.SUBRAMANIAN, J.) (C.KUMARAPPAN, J.)
11.11.2024

jv

Index: No

Internet: Yes

Speaking order

Neutral Citation: No

To

The Company Secretary.
M/s. Chennai Petroleum Corporation Ltd,
Manali, Chennai 600 068.



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R.SUBRAMANIAN, J.

and

C.KUMARAPPAN, J.

(jv)

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11.11.2024