



WP.No.33513 of 2017

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**Dated: 04.01.2024**

**Coram:**

**THE HONOURABLE MRS.JUSTICE N.MALA**

W.P.No.33513 of 2017

and

WMP.No.37017 of 2017

The Management,  
M/s.H.S.I. Automotive Pvt. Ltd.,  
Survey No.7, 'A' Block,  
100 Thandalam Post,  
Mevalur Kuppam, Thiruperumbattur,  
Kancheepuram District 602 105  
Represented by its Managing Director.

...Petitioner

Vs.

1. The Presiding Officer,  
Industrial Tribunal, Tamil Nadu,  
Chennai 600 104 .

2. The General Secretary,  
Podhu Thozhilalar Sangam (CITU),  
296, Gandhi Road,  
Kancheepuram 631 501.

...Respondents

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Writ Petition is filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records of the 1<sup>st</sup> respondent in Memo IA No.70 of 2017 in ID No.12 of 2015 and quash its order dated 29.08.2017.

For Petitioner : Mr. G.Ananda krishnan  
for M/s. T.S.Gopalan and Co.

For Respondents : R-1 Court  
R-2- Mr.V.Ajay Khose

### **ORDER**

Writ petition has been filed challenging the rejection order dated 29.08.2017, passed in I.A.No.70 of 2017 in I.D. 12 of 2015, wherein the petitioner management prayed to adduce evidence in support of the preliminary issue on whether the respondent workmen were covered by the definition of workman under Section 2(s) of the Industrial Disputes Act.

2. The learned counsel for the petitioner submits that the I.A was rejected and thereafter evidence was let before the 1<sup>st</sup> respondent / Labour Court and the ID is still pending. The learned counsel therefore states that



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a direction may be issued to the 1<sup>st</sup> respondent / Labour Court to frame the issue on whether the respondent workmen are covered by the definition 'workman' under Section 2(s) of the I.D. Act..

3. Considering the submissions and the limited prayer made by the learned counsel for the petitioner, a direction is issued to the 1<sup>st</sup> respondent / Labour Court to frame the issue on whether the respondent workmen (i.e) 69 junior supervisors are covered by the definition of 'workman' under Section 2(s) of the Industrial Disputes Act and decide the matter on merits and in accordance with law.

In view of the above, this writ petition is disposed of. There shall be no order as to costs. Consequently connected miscellaneous petition is closed.

dsn  
Index:Yes/No  
Speaking Order:Yes/No  
Neutral Citation:Yes/No

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To

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Industrial Tribunal, Tamil Nadu,  
Chennai 600 104 .

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**N.MALA, J.**

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