



WEB COPY

WP No. 11731 of 2011



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-02-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 11731 of 2011

1. N.G.Rajan

No.5, Perumal Koil Street, Ariyalur,
Andar Kuppam Check-post,
Chennai-103.

Petitioner(s)

Vs

1. The Presiding Officer
II Addl.Labour Court, Chennai-104.

2.The Management Of
M.R.F.Head Office, 124,
Greems Road, Chennai-6.

3.The Management Of
Topaz Security Service,
12.V.V.Koil Street,
Aminjikarai, Chennai-29.

Respondent(s)

PRAYER: This petition has been filed under Article 226 of Constitution of India, Calling for the records relating to the Award dated 07.09.2010 passed in I.D.No.671 of 1999, quash the same and consequently direct the 2nd respondent to reinstate the petitioner in service with continuity of service and with back wages and other attendant benefits, Award Costs.



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For Petitioner(s): M/S.S.T.VARADARAJULU
For Respondent(s): MR. M. VIJAYAN FOR
M/S.KING AND PARTRIDGE
FOR R2
R1 LABOUR COURT R3-
NOT READY NOTICE

ORDER

The writ petition has been filed seeking to quash the impugned order passed by the first respondent Labour Court in ID No.671/1999 dated 07.09.2010 rejecting his complaint for reinstatement, continuity of service and other attendant benefits.

2. It is the case of the petitioner that he was employed as security with the second respondent since 01.05.1992 and he was dismissed from service w.e.f. 16.03.1999. The petitioner raised an industrial dispute and the same was taken on file in ID No.671 of 1999. The first respondent Labour Court on an analysis of materials available before it, rejected the claim made by the petitioner. The second respondent has categorically stated that the petitioner was not directly employed by them; rather he was sponsored by the third respondent Agency. Whenever the second respondent in need of security staff, they would make a request to the third respondent, who would in turn, send persons to act as security guards. There is absolutely no connection with the petitioner and the second respondent management. The petitioner has not produced any



appointment order or dismissal order before the Labour Court. Indeed, before the conciliation officer, the petitioner has refused employment and he had requested for monetary settlement. The Management has proved that the petitioner was not willing to join as he has got an employment in Friends of Police. The second respondent has also proved before the Labour Court that the petitioner has accepted the monetary settlement offered by them. Having accepted the same, it is not proper on the part of the petitioner to raise an industrial dispute.

3. This Court is in complete agreement in the finding rendered by the Labour Court and no case has been made out by the petitioner to interfere with the same.

4. In the result, the writ petition fails and the same is dismissed. No costs.

12-02-2025

rli

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

The Presiding Officer
II Addl.Labour Court, Chennai-104.

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M.DHANDAPANI J.

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