



W.P.No.11892 of 2015

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.11892 of 2015

Axles India Workers' Union,
(Regn.No.CPT/952),
Rep.by its Secretary,
3, Kambar Street, Gandhi Nagar,
Sriperumbudur,
Kancheepuram District.

... Petitioner

Vs.

1.The Presiding Officer,
I Additional Labour Court,
High Court Buildings,
Chennai-600 104.

2.The Managing Director,
Axles India Limited,
Singaperumal Koil Road,
Sriperumbudur-602 105,
Kancheepuram District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India
praying for issuance of Writ of Certiorari, to call for the records and papers



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from the files of the first respondent, Labour Court, in I.D.No.9 of 2008 and to quash the award made therein dated 23.06.2011 insofar as the first respondent/Labour Court has negated the claims of the petitioner Union.

For Petitioner : Mr.K.M.Ramesh
Senior Counsel for
M/s.S.Apunu

For Respondents : R1-Court
Mr.Anand Gopalan
for M/s.AGAM Associates for R2

ORDER

This Writ Petition has been filed challenging the award dated 23.06.2011 passed by the first respondent, in I.D.No.9 of 2008.

2. The learned Senior Counsel appearing for the petitioner Union submits that the petitioner Union representing on behalf of the workmen employed in the second respondent Management has raised Industrial Dispute before the first respondent on the ground that the second respondent Management has unilaterally withdrawn the benefit conferred under



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Settlement dated 01.09.1999 in respect of Leave Travel Assistance and Education Allowance and also resorted to wage deduction from the members of the petitioner Union. The first respondent has rejected the claim of the petitioner Union stating that on the basis of the work done by the employees, salary was paid to them and if a person has given low production, lesser salary was given and if a person has given high production, high salary was given, vide impugned award dated 23.06.2011. Challenging the same, the present Writ Petition has been filed.

3. The learned counsel appearing for the second respondent submits that all the workmen have retired from service and no one is working at present in the second respondent Management and therefore, there is no question of payment of leave travel assistance and education allowance. Accordingly, he prays for dismissal of this writ petition.

4. From the submissions made by the learned counsel appearing for the second respondent, it is clear that all the workmen have retired from



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service and no one is working at present to claim the aforesaid allowance, and therefore, the question of payment of leave travel assistance and education allowance does not arise. Hence, this Writ Petition is dismissed. There shall be no order as to costs.

13.03.2025

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
ssb

To

- 1.The Presiding Officer,
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M.DHANDAPANI,J.

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