

WP.No.4413 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 24.07.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

WP.No.4413 of 2023
and
WMP.No.4439 of 2023

The Management of Daily Thanthi,
766, Avinashi Road,
Coimbatore-641 018

... Petitioner

Vs.

K.Mohanasundaram

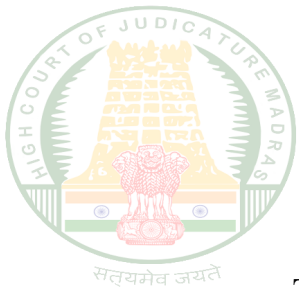
...Respondent

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorari, call for the records in LA. No. 1 of 2022 in I.D. No. 60 of 2021 on the file of the Hon'ble Additional Labour Court, Coimbatore quash the order dated 06.01.2023.

For Petitioner : Mr.D.Abdullah

For Respondents : M/s.S.Ravi

ORDER



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The above Writ Petition is filed seeking to quash the order passed in I.A.No.1 of 2022 in ID.No.60/2021 on the file of the Additional Labour Court, Coimbatore.

2.The brief facts are as follows:-

3.The petitioner is a newspaper establishment having its branches in various parts of Tamilnadu. The petitioner would contend that they engage both permanent and contract employees, as well as daily wagers. The respondent was engaged as a daily wager and his work was proof reading. He was being paid on a weekly basis.

4. The petitioner would submit that due to the covid lockdown, the commercial activities across India came to a standstill. During the lockdown period, the circulation of newspapers and the advertisements given by various commercial establishments also decreased drastically, which affected the revenue of the petitioner. The petitioner was therefore constrained to resort to austerity measures to reduce costs and downsizing the workforce was one such measure. Six



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daily wagers including the respondent were disengaged from work over a period of time at the Coimbatore office. The respondent was disengaged with effect from 29.07.2020.

5. Thereafter, the respondent had raised an Industrial Dispute in ID.No.60 of 2021 before the Additional Labour Court, Coimbatore. In the said proceedings, he had taken out IA.No.1/2022 for directions to the petitioner to produce the following documents :-

(i) Attendance register of proof readers for the period from 01.10.2001 to 14.08.2020,

(ii) Attendance register of the workman maintained by the security for the aforesaid period,

(iii) Weekly off notebook for the period from 01.10.2011 to 14.08.2020

(iv) Acquaintance Register, the documents in which the respondent had signed while receiving the salary for the period from 01.10.2001 to 14.08.2020

(v) Bonus register for the very same period.

The above-said documents were sought for to prove the case of the respondent.



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WEB COPY 6. An elaborate counter was filed by the management stating that the case was still at Trial stage and the workman had to discharge the burden of proving the case. The petitioner had also pleaded non availability of the documents for the period claimed by the respondent with reference to the attendance register of workman maintained by the security and the weekly off note book.

7. By order dated 06.01.2023, the Labour Court had allowed I.A. No.1 of 2022 and directed the management to produce the documents listed as Serial Nos. 1 to 5 in the schedule to the petition. Challenging the same, the petitioner management is before this Court.

8. When the matter came up for hearing today, the learned counsel for the petitioner would submit that he is ready to produce the documents listed as Serial Nos. 1, 4 & 5 in the schedule to the petition and it is his contention that the documents listed as Serial Nos. 2 & 3 are not maintained by them.

9. Considering the above, the Writ Petition is disposed of



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directing the petitioner management to produce the documents which have been listed as Serial Nos. 1, 4 & 5 in the schedule to the petition in IA.No.1/2022 in ID.No.60/2021 to the extent of the documents that are available with them. No costs. Consequently, the connected Miscellaneous Petition is closed.

24.07.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

1.The Additional Labour Court, Coimbatore.



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(shr)

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