



W.P.Nos. 3297 & 3298 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2025

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THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.Nos. 3297 & 3298 of 2015

and

WMP.No.1 of 2015 (2 Nos.)

1. The Management of
Thanjavur Spinning Mill Limited
(Formerly known as
Thanjavur Textiles Limited),
Vallam One Road,
Thanjavur – 613 005.
Rep by its Managing Director

2. The Management of
Thanjavur Spinning Mill Limited
(Formerly known as
Thanjavur Textiles Limited)
98A, Dr. Radhakrishnan Road
Mylapore, Chennai-600 004.
Rep by its Managing Director

...Petitioners in both W.P.'s

Vs.

1. The Presiding Officer,
III Additional Labour Court,
Chennai.

2. Vageesan

...Respondents in both W.P.s



W.P.Nos. 3297 & 3298 of 2015

Prayer in W.P.No. 3297 of 2015: Petition filed under Article 226 of the Constitution of India to issue a Writ of certiorari calling for the records of the 1st respondent in C.P.No.589 of 2002 and quash its order dated 24.10.2008 and pass orders.

Prayer in W.P.No. 3298 of 2015: Petition filed under Article 226 of the Constitution of India to issue a Writ of certiorari calling for the records of the 1st respondent in IA No.135 in C.P.No.589 of 2002 and quash its order dated 08.08.2014 and pass orders.

For Petitioner : Mr.P.Raghunathan for
M/s.T.S.Gopalan and Co.

For Respondents : Labour Court – R1
M/s.V.Nicholas for R2

COMMON ORDER

Since the issue involved in the present writ petitions are one and the same, they are disposed of by way of this common order.

2. W.P.No.3297 of 2015 is filed to quash the order passed in C.P.No.589 of 2002 dated 24.10.2008.

3. W.P.No.3298 of 2015 is filed to quash the order in I.A.No.135 of 2011 in C.P.No.589 of 2002 dated 08.08.2014.



W.P.Nos. 3297 & 3298 of 2015

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4. Without going into the merits of the case, this Court is inclined to pass the following order.

5. C.P.No.589 of 2002 filed by the second respondent was ordered by the first respondent directing the petitioner to pay a sum of Rs.2,09,900/-. The said order was an ex-parte order. To set aside the ex-parte order, the petitioner filed I.A.No.135 of 2011. The said Interlocutory application was rejected by a non-speaking order vide order dated 08.08.2014.

6. The first respondent had directed the petitioner to pay the sum more than Rs.2 Lakhs. The petitioner was not heard. The learned first respondent has dismissed the interlocutory application filed to set aside the ex-parte order without stating any reasons.

7. This Court deprecates the manner in which the order was passed by the first respondent. In result, the order passed in I.A.No.135 of 2011 dated 08.08.2014 is set aside. Likewise, the order dated 24.10.2008 in C.P.No.589 of 2002 is also set aside.



W.P.Nos. 3297 & 3298 of 2015

8. Both the writ petitions are allowed. The first respondent is

directed to take the C.P.No.589 of 2002 on file again and adjudicate the dispute between the parties after affording an opportunity of hearing to petitioner. All the rights and contentions of the parties are kept open. No costs. Consequently connected miscellaneous petitions are closed.

13.03.2025

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



W.P.Nos. 3297 & 3298 of 2015

To
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The Presiding Officer,
III Additional Labour Court,
Chennai.



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M.DHANDAPANI., J.

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and
WMP.No.1 of 2015 (2 Nos.)

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