



W.P.No.13983 of 2018

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.13983 of 2018

and

W.M.P.Nos.16516 of 2018, 22505 of 2019, 32140 of 2022 & 32328 of 2023

Management,
M/s.Ravindra Security Pvt. Ltd.,
Sreeyas Veerath, 2nd Floor,
No.26, Old No.13/14,
3rd Cross Street, R.A. Puram,
Chennai – 600 028.

... Petitioner

Vs.

1.G.Srinivasan

2.The Principal Labour Court,
City Civil Court Buildings,
High Court Campus,
Chennai – 600 104.

3.S.Vijaya

4.S.Sangeetha

5.S.Latha

6.S.Sudha

... Respondents

[R3 to R6 impleaded as per order dated 03.04.2025 made in
W.M.P.No.22818 of 2024 in W.P.No.13983 of 2018]



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Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, calling for the records culminating in the impugned award dated 24.07.2017 in I.D.No.189 of 2012 passed by the Principal Labour Court, Chennai and quash the same.

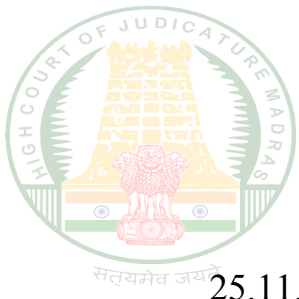
For Petitioner : Mr.P.Raghunathan
for M/s.T.S.Gopalan & Co.

For Respondents : Mr.S.Ravi [R1, R3 to R6]
Labour Court [R2]

ORDER

This Writ Petition has been filed by the petitioner seeking for issuance of a Writ of Certiorari, to call for the records culminating in the impugned award dated 24.07.2017 in I.D.No.189 of 2012 passed by the Principal Labour Court, Chennai and quash the same.

2. The case of the petitioner is that it is a company engaged in the business of providing security services including supply of security manpower to various commercial and manufacturing establishments. The first respondent was working in the petitioner company as a security guard as contract labour. Whiles, he failed to report for duty after

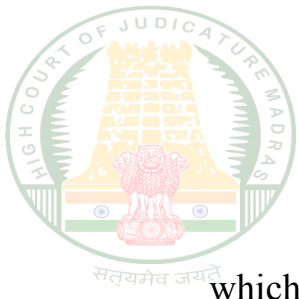


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25.11.2011. The petitioner has not terminated the respondent as alleged and the petitioner company has never refused to employ the respondent. In the mean, the petitioner came to know that the respondent and his four friends are working for gain in 'Positive Force' a company engaged in security service. When the respondent tendered his resignation, the petitioner had directed him to handover all the materials belonging to the company. However, he raised a dispute before the labour court u/s 2(A)(2) of the Industrial Disputes Act, 1947 (in short 'the ID Act') in I.D.No.189 of 2012 alleging that he was orally terminated by the petitioner company on 25.11.2011 and the labour court, vide impugned order dated 24.07.2017, directed the petitioner to reinstate the respondent with backwages, continuity of service and other benefits. Challenging the same, the present writ petition has been filed.

3. Learned counsel appearing for the petitioner submitted that during the pendency of this writ petition, the 1st respondent/workman had passed away and his legal heirs were impleaded as respondent 3 to 6 in this writ petition. He further submitted that the 1st respondent/deceased workman rendered only four months service in the petitioner company in



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which case he is not entitled to any compensation or anything, however he is entitled to statutory benefits viz., EPF, ESI and gratuity. Hence, liberty may be granted to the legal heirs of the deceased workman to file appropriate application before the authority claiming the said benefits. Accordingly, he prays for allowing this writ petition.

4. Learned counsel appearing for the respondents 1, 3 to 6, on instructions submitted that this Court may fix a reasonable compensation in favour the legal heirs of the deceased workman.

5. Though the learned counsel for the workman has prayed for fixation of compensation, the learned counsel appearing for the petitioner was not inclined to come for a settlement. In order to strike balance in between the parties, this Court directs the petitioner/management to pay a sum of Rs.50,000/- (Rupees Fifty Thousand only) as compensation in full quit to the 3rd respondent/wife of the 1st respondent/deceased workman within a period of four (4) weeks from the date of receipt of a copy of this order.



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6. Accordingly, this Writ Petition is disposed of in the above terms. No costs. Consequently, the connected miscellaneous petitions are closed.

03.04.2025
(5/5)

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
sp

To

The Principal Labour Court,
City Civil Court Buildings,
High Court Campus,
Chennai – 600 104.



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M.DHANDAPANI, J.

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