



W.P.No.14357 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.14357 of 2019

and

W.M.P.No.14418 of 2019

C.R.I Pumps,
Represented by Authorised Signatory,
Unit C.R.I. Valves,
S.F.No.51/1, Oraikkalpalayam,
Coimbatore – 641 107.

...Petitioner

Vs.

K.Saravakumar

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, to call for the records of the Presiding Officer in I.D.No.212 of 2012 on the file of the Additional Labour Court, Coimbatore dated 27.08.2018 and quash the same.

For Petitioner : Mr. S. Mukunth

For Respondent : Mr.A.Deivasigamani

ORDER

This is an unfortunate case where the respondent/workman who has suffered injuries during the course of his employment under the petitioner



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management, was shunted out from work only because he could not work like

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2. The respondent was employed as Lathe Operator under the petitioner management since 2009. Whiles, on 21.11.2010, during the course of employment, the respondent met with an accident and he sustained serious and grievous injuries over his body. Immediately, he was rushed to the hospital and his spleen was removed. He underwent treatment as inpatient till 07.12.2000. After discharge, he reported for duty before the petitioner management and the petitioner management directed the respondent to work in the Lathe as earlier. Since his physical condition was weak after removal of spleen and that he had sustained many injuries in his body, the respondent requested the management to offer him a light job. Sensing that the respondent would not be able to discharge his duties like before, he was treated as a expendable and shown the door from 30.08.2011 onwards, thereby he raised an industrial dispute and the labour court on analysis of the entire materials available on record directed the petitioner to reinstate the respondent in service with continuity of service and other attendant benefits. In addition, the labour court also directed the petitioner to pay a sum of Rs.25,000/- to the respondent in lieu of claim for backwages. Aggrieved by the said order, the present writ petition has been filed.



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3. It is no doubt true that immediately after the accident, the respondent was rushed to hospital and his treatment expenses were borne out by the petitioner management. The learned counsel for the petitioner was harping on the said spending on medical bills and stated that the petitioner management had taken good care of the respondent. The act of taking an injured employee to the hospital is a natural one. The employee has met with an accident during the course of his employment. Naturally, only the management has to take care of the employee. Just because the management paid the medical bills, it does not acquire a right to treat the worker as an expendable when the management felt that the respondent would not be able to discharge his duties as before in the Lathe and without any valid reason, he was terminated from service. The termination is an inhuman act by the petitioner management. Therefore, the labour court has set aside the same vide impugned order, which cannot be said to be illegal, perverse or arbitrary. Hence, this Court is not inclined to interfere with the same.

4. At the time of admission of this writ petition, the management pressed for stay of the impugned order. This Court has categorically observed that the court is not prepared to grant any interim order.



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M.DHANDAPANI, J.

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5. Learned counsel for the petitioner has not made any convincing reasons to interfere with the well reasoned order of the labour court. Accordingly, the impugned order passed by the Additional Labour Court, Coimbatore in I.D.No.212 of 2012 is confirmed and the Writ Petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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To
The Additional Labour Court, Coimbatore.

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