



W.P.Nos.15408 & 15410 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.Nos.15408 & 15410 of 2025

and

W.M.P.Nos.17430 & 17434 of 2025

The Management of
Coimbatore District Central Co-Op. Bank Ltd.,
80, State Bank Road,
Post Box No.3781,
Coimbatore – 641 018.

Represented by its General Manager

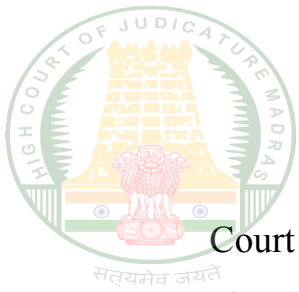
... Petitioner in both WPs

Vs.

The General Secretary,
Coimbatore District Central Co-Op Bank Ltd.,
Co-Op. Bank Employees Union,
(Regd. No.391/79),
Coimbatore District Central Co-Op Bank Compound,
80, State Bank Road,
Coimbatore – 18.

... Respondent in both WPs

Prayer in both WPs : Writ Petitions filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the Principal Labour Court, Coimbatore in I.D.Nos.21 and 5 of 2020 and quash its preliminary Award dated 04.02.2025 insofar as declining to decide the question as to whether the employee would be a worker and further direct the Principal Labour



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Court to decide the said issue in the light of the evidence and documents placed before it.

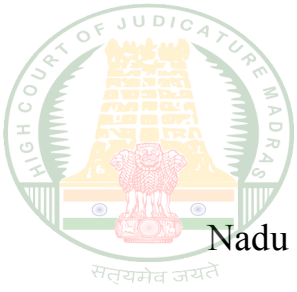
For Petitioner : Mr.Anand Gopalan
(in both WPs) for M/s.Agam Legal Advocate

COMMON ORDER

These Writ Petitions have been filed by the petitioner seeking for a Writ of Certiorarified Mandamus, to call for the records of the Principal Labour Court, Coimbatore in I.D.Nos.21 and 5 of 2020 and quash its preliminary Award dated 04.02.2025 insofar as declining to decide the question as to whether the employee would be a worker and further direct the Principal Labour Court to decide the said issue in the light of the evidence and documents placed before it.

2. Since no adverse order has been passed against the respondent, notice to the respondent is dispensed with.

3. The case of the petitioner is that it is a District Central Co-operative Bank and has more than 250 primary agricultural co-operative societies and other types of credit societies. It is governed by the Tamil



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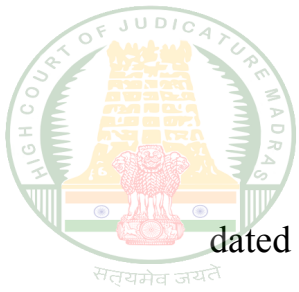
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Nadu Co-operative Societies Act, 1983 (in short 'the TNSC Act') and is

controlled by the Registrar of Co-operative Societies. In terms of TNSC

Act, the petitioner has framed its own bye-laws and the same is applicable to all the employees of the bank. The respondent Union is claiming to enjoy the support of the employees of the petitioner and has been espousing the cause of employees working in the petitioner bank.

One Manjula Devi and Ravi have been employed with the petitioner bank from the year 2001 respectively and they were working as the Assistant Manager and were acting as the In-charge Branch Manager of Pethappampatti Branch at the relevant time. The petitioner bank has initiated disciplinary action against them for certain acts of misconduct committed by them during the service at Pethappampatti Branch, by causing huge financial loss to the petitioner bank. After conducting disciplinary proceedings, the petitioner has imposed the punishment of stoppage of 5 years annual increment with cumulative effect and stoppage of 10 years annual increment with cumulative effect respectively on them. Aggrieved by the same, the respondent union raised disputes before the Principal Labour Court, Coimbatore seeking to espouse the cause of the said employees and sought to set aside the order of punishment in I.D.Nos.21 and 5 of 2020. The labour court, by its order



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dated 04.02.2025 has held that the enquiry against the said employees was not fair and proper and conducted against the principles of natural justice. Apart from it, the labour court has also held that it cannot go into the issue that the said employees are not a workman as the Government has not referred the said issue for adjudication. Challenging the said preliminary awards passed by the labour court, the petitioner has filed the present writ petitions before this Court.

4. Though very many grounds have been raised in these writ petitions, however, at the time of arguments, learned counsel appearing for the petitioner submitted that this Court may grant liberty to the petitioner to canvass all the points in the final award, which is going to be passed by the labour court in the respective industrial disputes and the labour court may be directed to pass appropriate orders within a time frame a that may be stipulated by this Court, without being influenced by the impugned preliminary awards passed by the labour court.

5. In view of the limited request made by the learned counsel appearing for the petitioner, without interfering with the impugned preliminary awards dated 04.02.2025, this Court grants liberty to the



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petitioner-bank to canvass all the points raised before this court in the final award, which is going to be passed by the labour court in I.D.Nos.21 and 5 of 2020 and the labour court is directed to decide the main issue in accordance with law and pass appropriate orders, as expeditiously as possible, without being influenced by any of the observations made by the labour court in the impugned preliminary awards.

6. With the above liberty, these Writ Petitions are dismissed. No costs. Consequently, the connected writ miscellaneous petitions are closed.

28.04.2025

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

The Principal Labour Court, Coimbatore.



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M.DHANDAPANI, J.

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