



W.P.No.23407 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.23407 of 2019

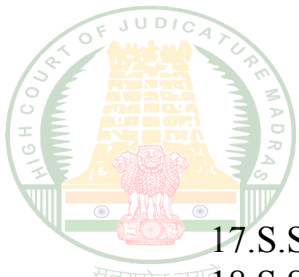
and

W.M.P.No.23171 of 2019

The Management,
M/s.Viprah Technologies Ltd.,
Sri Kamakshi Krishna Anugruha Aalampalayam Road,
Thekkalur,
Avinashi Taluk,
represented by its
Managing Director,
Mr.C.K.Ananthasubramanian ... Petitioner

Vs.

- 1.T.S.Rajasekar
- 2.P.Arumugam
- 3.C.P.Balachandran Nair
- 4.S.Balamurugan
- 5.S.Baijumon
- 6.P.Durairaj
- 7.S.Karunanithi
- 8.S.Krishnan Kutti
- 9.C.Mani
- 10.M.Manuel Raj
- 11.R.Murugavel
- 12.A.Muthaiya Pandian
- 13.S.Muthukumar
- 14.A.Ponnandi
- 15.V.Raghu
- 16.M.Raghunathan



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17.S.Saravanan
18.S.S.Sivakumar
19.R.Sundarsan

C/o.Bharathiyar Mazdoor Sang,
231, Sathy Road, Ganapathy,
Coimbatore – 641 006.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, to call for the records relevant to the order in I.A.No.134 of 2018 in C.P.No.132 of 2012 dated 26.07.2018 passed by the Presiding Officer, Labour Court, Coimbatore and quash the same as illegal, improper, unreasonable, arbitrary, against the principles of natural justice.

For Petitioner : Mr.G.Sanjay
for M/s.D.R.Law Chamber
For Respondents : Not Ready Notice (Tapal returned
with endorsement Refused)

ORDER

Aggrieved by the order passed by the Labour Court, Coimbatore in I.A.No.134 of 2018 in C.P.No.132 of 2012 dated 26.07.2018, the petitioner management has filed the present writ petition. By way of the said order, the labour court had refused to condone the delay of 2014 days in filing the application to set aside the exparte order.



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2. Initially, the respondents herein raised an industrial dispute before the labour court challenging their dismissal from service. The labour court vide order dated 30.11.2004 in I.D.No.221 of 2007 etc., batch, ordered reinstatement with continuity of service, full backwages and other benefits. Challenging the same, the management has filed writ petitions before this Court in W.P.Nos.19567 to 19587 of 2005. This Court, while admitting the above writ petitions, refused to grant an order of stay. Since no stay has been granted, the respondents approached the petitioner management to honour the award passed by the labour court and prays for backwages. The petitioner was dragging its feet. Therefore, the workmen filed C.P.No.132 of 2012. The petitioner management remained exparte. Since no stay was granted by this Court in the writ petitions filed by the management challenging the order of reinstatement, the labour court allowed the C.P. and directed the petitioner to release Rs.73,54,377.70/- towards backwages, bonus and earned leave along with interest at 18%. In the meantime, this Court vide order dated 25.08.2023 dismissed the said writ petitions filed by the management and confirmed the order of reinstatement, backwages and other benefits. The petitioner management filed an interlocutory application with huge delay of 2014 days to set aside the exparte order passed in C.P.No.132 of 2012



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and the labour court dismissed the same. Challenging the same, the present writ petition has been filed.

3. On a perusal of the order, this Court is convinced that the order of labour court is perfectly justified. The management though was parallelly deciding the case before this court just to remain exparte in C.P. No convincing reasons have been given by the petitioner management to condone the huge delay of 2014 days. Therefore, this Court is not inclined to interfere with the same.

4. Accordingly, this Writ Petition is dismissed and the impugned order passed by the labour Court in I.A.No.134 of 2018 in C.P.No.132 of 2012 dated 26.07.2018 is confirmed. No costs. Consequently, the connected writ miscellaneous petition is closed.

22.04.2025
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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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To
The Presiding Officer, Labour Court, Coimbatore.



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M.DHANDAPANI, J.

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