



W.A.Nos.2113 & 2023 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

W.A.Nos.2113 & 2023 of 2025
and C.M.P.Nos.16001, 16004 of 2025

D.Ramesh

... Appellant in both WAs

Vs.

1.The Presiding Officer-cum-the Learned Labour Court,
Puducherry – 605 001.

... 1st respondent in WA.No.2113/2025

1.The Presiding Officer,
Labour Court-cum-Industrial Tribunal,
Puducherry – 605 111.

... 1st respondent in WA.No.2023/2025

2.The General Manager,
Larsen and Toubro Ltd.,
Pondicherry Works,
Mylam Road, Sedarapet,
Puducherry – 605 111.

... 2nd Respondent in both WAs



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Prayer in WA.No.2113/2025: Writ Appeal filed under Clause 15 of the Letters Patent, seeking to set aside the order dated 02.04.2025 passed in WP.No.20524 of 2016 and allow this Writ Appeal.

Prayer in WA.No.2023/2025: Writ Appeal filed under Clause 15 of the Letters Patent, seeking to set aside the order dated 02.04.2025 passed in WP.No.27358 of 2016 and allow this Writ Appeal, directing the respondent to pay the remaining 50% back wages to the appellant with all consequential benefits.

(in both WAs)

For Appellant : Mr.P.R.Thiruneelakandan

For R1 : Labour Court

For R2 : Mr.L.Chandrakumar
for Mr.V.Moorthi

COMMON JUDGMENT

(Judgment of the Court was made by *M.S.RAMESH, J.*)

Before the learned Single Judge, the appellant herein/workman had not appeared when the final order was passed on 02.04.2025. By taking into account the submission of the learned counsel for the second



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respondent/Management that the respondent Factory was closed and the workman had also reached the age of superannuation, the learned Single Judge had ordered for one time settlement of Rs.8,00,000/-.

2. Before us, it is canvassed by the learned counsel for the appellant that the appellant/workman is yet to reach the age of superannuation and that the second respondent/Management has other units where he could be reinstated. Having failed to canvass these grounds before the learned Single Judge, it would not be desirable to appreciate these grounds when such grounds were not canvassed before the learned Single Judge. In this background, we deem it appropriate that this case can be remitted back to a learned Single Judge for fresh consideration.

3. At this juncture, it is brought to our notice that the amount of Rs.8,00,000/- of compensation, as ordered by the learned Single Judge, was already credited to the account of the concerned workman. The learned counsel for the appellant however would claim that though they had offered to refund the sum of Rs.8,00,000/-, the Management has



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refused to receive the same.

4. Accordingly, the common order passed in W.P.Nos.20524 & 27358 of 2016 dated 02.04.2025, is hereby set aside and the matter is remitted back to a learned Single Judge for reconsideration. The appellant herein is at liberty to raise all the grounds in these Writ Appeals before the learned Single Judge. With regard to the amount of Rs.8,00,000/- already paid to the appellant, we hereby clarify that the appellant/workman shall not be entitled to file a 17B application, claiming last drawn wages, pending the Writ Petition.

5. In view of the above, these Writ Appeals stand disposed of. No costs. Connected miscellaneous petitions are closed.

[M.S.R, J.]

[R.S.V, J.]

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Index: Yes/No

Speaking order/Non-speaking order

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Neutral Citation: Yes/No

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To

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Puducherry – 605 111.

2.The General Manager,
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and
R. SAKTHIVEL, J.

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