



W.A.No.2255 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 21.07.2025

CORAM :

THE HON'BLE MR. JUSTICE R.SUBRAMANIAN
AND
THE HON'BLE MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI

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M/s Kandasamy Spinning Mills
Private Ltd., rep. by its Managing Director
Suriyampalayam
Bhavani Main Road
Vasavi College Post
Erode Taluk, Erode District

.. Appellant

v.

- Muthusamy (died)
1. Rathinam
 2. Maniprakash
 3. Rupan
- Dulasimani (died)
4. Gowri Sankar
- Mani (died)
5. Jothi
 6. Saravanan
 7. Cithra
- Kulanthaisamy (died)
8. Karunakaran
 9. Kasilingam
 10. Dhanalakshmi



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Muthusamy (died)

11. Ammaniyammal

12. Cithra

13. Karuppusamy

Ponnusamy (died)

14. Parisammal

15. Thambiraj

16. Ruthprakasi

17. Saroja

18. Manju

19. Madankumar

Rangasamy (died)

20. Meenachi

21. Radha

Ramasamy (died)

22. Baby

23. Yuvaraj

Dhanapal (died)

24. Selvi

25. Senthil

26. Pukalenth

Palanisamy (died)

27. Dhanalakshmi

28. Devagi

29. Suguna

30. Vengatesh

Subramani (died)

31. Palaniyammal

32. Vasanthi

33. Kanchana

34. Prabhu

35. Imaya

36. Valliyammal

Rajamanickam (died)

37. Gandhimathi



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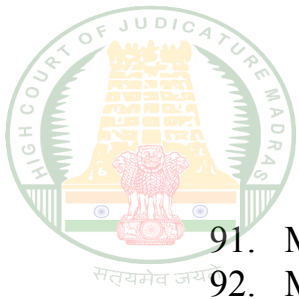
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38. Ramesh
Subramaniam (died)
39. Arukkani
40. Saravanakumar
41. Mahalakshmi
42. Nirmala
43. Minor Subiksha rep by mother Nirmala
44. Minor Gurupranith rep by mother Nirmala
Mani (died)
45. Saraswathi
46. Padmapriya
47. Sivalingam
Thiyagarajan (died)
48. Leelavathi
49. Saravanan
50. Divya
Kuppusamy (died)
51. Jagadeswari
52. Latha
53. Santhi
Subramani (died)
54. Saraswathi
55. Palanisamy
56. Karuppasamy
Suppu (died)
57. Rajamani
58. Bakiyaraj
59. Anandhajothe
Babu @ Malaiyan (died)
60. Sirangayi
61. Latha
62. Dhavamani
Gurusamy (died)
63. Lakshmi
64. Matheswaran



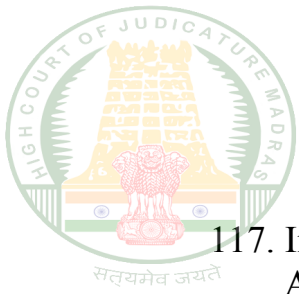
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65. Karthick
Rajendran (died)
66. Chinnathayi
67. Sivaraman
68. Sampuranam
Muthusamy (died)
69. Dhanasekaran
70. Velmurugan
Archunan (died)
71. Suguna
72. Nagaraj
73. Durga
Gopal (died)
74. Subbulakshmi
75. Priya
76. Nandhini
Rajendran (died)
77. Karpagam
78. Kanagavalli
79. Kalaivani
80. Ishwarya
Dulasimani (died)
81. Pungodi
82. Tamilmani
83. Valiyammal
Kathirvel (died)
84. Selvi
85. Mythili
86. Gomathi
87. Lakshmi
Munnusamy (died)
88. Vijaya
89. Sivakumar
90. Sasikumar
Loganathan (died)



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91. Manimegalai
92. Manikandan
93. Santhosh
94. Anitha
Ramasamy (died)
95. Kanagavalli
96. Radha
Arumugam (died)
97. Paripuranam
98. Kalaivani
99. Mano
Murugesan (died)
100. Kandasamy
Kesavan (died)
101. Rajalakshmi
102. Monika
103. Narendran
Jayaraman (died)
104. Yasotha
105. Abinaya
106. Surya
Dhatchanaamoorthy (died)
107. Tamilselvi
108. Sandhiya
Ganesan (died)
109. Manimegalai
110. Krishnakumar
111. Vengatesan
Subramani (died)
112. Dhanapakiyam
113. Kalaivanan
114. Masiladevi
Santhalingam (died)
115. Poongodi
116. Lakshna



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117. Inthares
Ayyasami @ Ayyavu (died)
118. Madheswari
119. Jagadeeswaran
120. Prabakaran
Sellavel (died)
121. Malliga
122. Soundaryavalli
123. Vasugi
124. Lakshmi
Selvaraj (died)
125. Rajamani
126. Kanagaraj
Shanmugam (died)
127. Padmavathi
128. Anbarasi
129. Gunasangeetha
130. Valarmathi
Raju (died)
131. Kuppusamy
132. Shanmugam
133. Duraisamy
Mani @ Sellappan (died)
134. Kanchana
135. Manikam
136. Sathishkumar
137. Sangeetha
138. Karuppayi
Lognathan (died)
139. Tamilarasi
140. Vijay
141. Jeeva
Chandran (died)
142. Ambiga
143. Rajendran



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Ramasamy (died)

144. Kuruvayi

145. Muruganantham

146. Saranya

Raju (died)

147. Sumathi

148. Sowmiya

149. Sandhiya

150. Pongiyammal

Periyasamy (died)

151. Rajathi

152. Sumathi

153. Lalitha

Mayilsamy (died)

154. Rajamma

155. Kasthuri

156. Prakash

Jothimuthu (died)

157. Malarkodi

158. Tamilarasan

159. Tamilarasi

Govindasamy (died)

160. Pushpalatha

161. Deepanraj

Matheswaran (died)

162. Puvaneswari

163. Sathishkumar

164. Nirmal Kumar

Ramasamy (died)

165. Palaniyammal

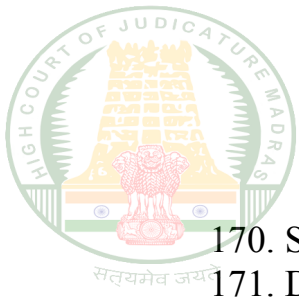
166. Tamilselvi

167. Gunasekaran

Ganesan (died)

168. Vijaya

169. Hemalatha



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170. Sarulatha

171. Dhanaprakash

WEB COPY Angukannan (died)

172. Anandkumar

173. Nithya

.. Respondents

Memorandum of Grounds of Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 24.04.2025 passed in W.P.No.14359 of 2025.

For Appellant :: Mr.N.Manokaran

For Respondents :: Mr.K.Srinivasamurthy for
M/s Row & Reddy

JUDGMENT

(Judgment of the Court was made by R.SUBRAMANIAN,J.)

Challenge is to the order of the learned single Judge dismissing the writ petition filed by the Management, against the order of the Labour Court allowing the applications filed purportedly under Order XXII, Rule 3 of the Code of Civil Procedure seeking to implead the legal heirs of the deceased workmen in the Industrial Disputes.



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2. A set of applications were filed under Order XXII, Rule 3 in about 53 industrial disputes claiming that the workmen in those cases had died leaving behind the petitioners therein as LR's. The Labour Court, after referring to Section 10(8) of the Industrial Disputes Act, allowed the applications. Aggrieved, the Management had come up with the writ petition. The learned single Judge dismissed the writ petition on the conclusion that the order directing the impleadment of LR's will not affect the rights of parties and therefore, left it open to the Management to raise all the contentions in the I.Ds. It is this order that is the subject matter of challenge in this appeal.

3. Mr.N.Manokaran, learned counsel for the appellant would vehemently contend that a massive fraud has been played on the Court and dead persons have been shown as petitioners in proceedings before this Court, dead persons have been represented in a writ appeal filed by the Management and dead persons have been represented before the Hon'ble Supreme Court in the connected S.L.Ps.

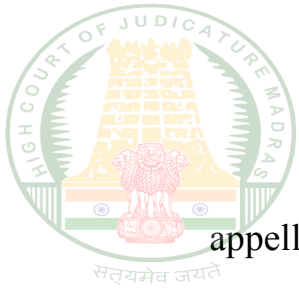


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“(8) No proceedings pending before a Labour Court, Tribunal or National Tribunal in relation to an industrial dispute shall lapse merely by reason of the death of any of the parties to the dispute being a workman, and such Labour Court, Tribunal or National Tribunal shall complete such proceedings and submit its award to the appropriate Government.”,

it is not even necessary that the L.Rs of the deceased workmen should be impleaded in an industrial dispute. The statute imposes an obligation on the Court to decide the industrial dispute de hors the death of the parties before it. The allegations raised by the learned counsel even if true, cannot be a ground to interfere with the order passed by the Labour Court in this proceedings. Hence, we see no merits in the appeal. The writ appeal fails and it is, accordingly, dismissed. We, however, leave it open to the



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appellant Management to raise a claim regarding filing of proceedings by

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dead persons in this Court, before the appropriate forum. Consequently,

C.M.P.No.17289 of 2025 is dismissed. No costs.

Index : yes/no
Neutral citation : yes/no

(R.S.M.,J.) (K.G.T.,J.)
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