



W.P.No.24219 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.24219 of 2014

and

M.P.No.1 of 2014

The Managing Director,
Superfil Products Limited,
R.S.No.28/8-12, Mangalam Road,
Puducherry – 605 110.

... Petitioner

Vs.

1. The Presiding Officer,
Labour Court,
Puducherry.

2. N.Muthukumaran

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, to call for the records from the first respondent herein, in I.D.No.14 of 2012 dated 18.07.2013 and quash the award passed therein.

For Petitioner : Mr.Prasad Vijayakumar

For Respondents : Mr.P.R.Thiruneelakandan
for R2
Court - R1



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ORDER

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This Writ Petition has been filed by the petitioner seeking to quash the order passed by the first respondent in I.D.No.14 of 2012 datd 18.07.2013.

2. Mr.P.R.Thiruneelakandan, accepts notice on behalf of the second respondent.

3. The case of the petitioner management is that, the second respondent / workman was an operator in the petitioner management. Thereafter, the workman was continuously absenting himself from doing his work in the petitioner company. Inspite of giving several warning, the second respondent did not respond to any of the warnings / memos given. Subsequently, the charges were framed and proved as against the second respondent. Whiles, the petitioner dismissed the second respondent for the proven misconduct on 24.07.2010. Challenging the order of dismissal, the second respondent raised an industrial dispute in I.D.No.14 of 2012 before the Labour Court, Pondicherry, wherein the Labour Court vide order dated 18.07.2013 reinstated the second respondent with 50% of the backwages. Assailing the order passed in I.D.No.14 of 2012, the



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petitioner management has filed the present writ petition.

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4. Though very many grounds have been raised, the learned counsel for the petitioner management restricted his prayer and submitted that the petitioner management agreed to re-instate the second respondent with continuity of service without any further backwages. Further, the petitioner management will not recover the amount paid u/s. 17(B) of Industrial Disputes Act, if the second respondent assures that he will not raise any further claim from the petitioner management.

5. The learned counsel for the second respondent has not contended the submission made by the learned counsel appearing on behalf of the petitioner.

6. In view of the consent expressed by the learned counsel appearing on either side, this court, without expressing any opinion on the merits of the case, directs the petitioner management to re-instate the second respondent with continuity of service forthwith without any delay.



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M.DHANDAPANI, J.

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7. With the above direction, this writ petition is disposed of. No costs. Consequently, the connected writ miscellaneous petition is closed.

26.02.2025

Note to office : Issue order copy on 27.02.2025

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes/No

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To

The Presiding Officer,
Labour Court,
Puducherry.

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