



W.P.No.28900 of 2014

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M.DHANDAPANI, J.

This writ petition is listed today at the instance of the learned counsel for the petitioner.

2. It is submitted by the learned senior counsel for the petitioner that though no concedement was made on behalf of the petitioner, however, inadvertently in para-3 and 4 of the order dated 27.02.2025, it has been erroneously shown as if a concedement was made on behalf of the petitioner for receiving a lumpsum amount of Rs.1,00,000/- in full quit. Therefore, it is prayed that necessary correction may be carried out in the order dated 27.2.2025 and a fresh order copy may be directed to be issued.

3. Learned counsel appearing for the 2nd respondent/management fairly submitted that concedement was made only by the 2nd respondent/management and not by the petitioner and, therefore, he has no objection in this Court making the necessary corrections.



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4. It is seen from the order dated 27.2.2025, more particularly

in para-3, it is shown as if the learned counsel for the petitioner has conceded to receive the amount offered by the 2nd respondent. Therefore, para-3 and 4 of the order dated 27.2.2025 shall stand substituted with the following :-

“3. When the matter is taken up for hearing, learned counsel appearing on behalf of the 2nd respondent/management submitted that the 2nd respondent/management is ready to pay a sum of Rs.1,00,000/- as compensation in full quit within a reasonable time that may be fixed by this Court.

4. With regard to the aforesaid submission, learned senior counsel for the petitioner vehemently objected to the same and submitted that the dismissal of the petitioner is nothing but victimisation, which has not been properly appreciated by the court below and, therefore, the petitioner is entitled for reinstatement with full backwages as there is no fault on the petitioner.

5. Considering the fact that a preliminary award was passed in the year 2011 and more than a decade and a half has passed since the award and even according to the materials on record, the workman had joined the service in the year 1994 and by now, the workman would have superannuated from service, having crossed the particular



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age, as he was dismissed from service in the year 2005, no useful purpose would be served in adjudicating the matter on merits, as the concept of “No Work, No Pay” would stand attracted and the petitioner not having done any work, would not be entitled to any pay. Therefore, to balance the scales of justice and to render complete justice, this Court deems it fit and proper to modify the impugned award passed by 1st respondent/Labour Court as under :-

“The 2nd respondent/management is directed to pay a lumpsum amount of Rs.1,00,000/- (Rupees One Lakh only) as compensation in full quit to the petitioner/workman within a period of four (4) weeks from the date of receipt of a copy of this order.””

5. Registry is directed to make the necessary corrections in the order dated 27.02.2025 and issue fresh order copy to the parties.

05.06.2025

GLN



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10.06.2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 27.02.2025

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CORAM :

THE HONOURABLE MR. JUSTICE **M.DHANDAPANI**

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P.Baskar

...Petitioner

Vs.

1. The Presiding Officer,
Principal Labour Court,
Vellore.
2. The Management of MRF Ltd.,
Rep. by Plant Manager,
Thiruttani Road, Ichiputhur,
Arakkonam – 631 003, Dt. Vellore.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari calling for the records from 1st respondent in connection with its preliminary award dated 22.06.2011 and its final award dated 28.06.2012 in I.D.No.13 of 2005 and quash the same.

For Petitioner : Mr.V.Prakash, Sr.C,
for Mr.K.Sudalai Kannu

For Respondents : Mr.Sanjay Mohan, for
M/s.S.Ramasubramaniam & Associates, for R2
R1 - Court

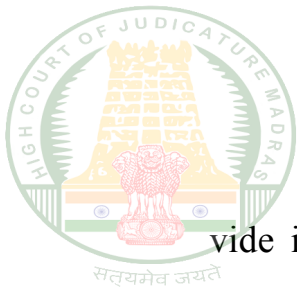


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ORDER

WEB COPY This Writ Petition has been filed by the petitioner seeking quashment of the preliminary award dated 22.06.2011 and final award dated 28.06.2012 made in I.D.No.13 of 2005 by the 1st respondent.

2. The case of the petitioner/workman is that, he joined the services of the 2nd respondent factory at Ichiputhur in the year 1994 as Temporary workman and on 01.08.1995 he was designated as Apprentice and was doing the same work as the other permanent workers and the said service under apprentice was extended every six months and eventually the petitioner was placed on probation from 01.08.1997 and was subsequently confirmed in service on 01.02.1998. While so, alleging that the petitioner was involved in political activities, the 2nd respondent management initiated disciplinary proceedings as against the petitioner and the same ended in dismissal, against which, the petitioner raised an industrial dispute in I.D.No.13 of 2005 before the 1st respondent, in which, the 1st respondent passed an preliminary award dated 22.06.2011 holding that the enquiry was conducted in a fair and proper manner and subsequently dismissed the main dispute in I.D.No.13 of 2005 itself,



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vide impugned award dated 28.06.2012. Challenging by the same, the petitioner has come up with this writ petition.

3. When the matter is taken up for hearing today, learned counsel appearing on behalf of the 2nd respondent/management submitted that, the 2nd respondent/management is ready to pay a sum of Rs.1,00,000/- as compensation in full quit, within a reasonable time that may be fixed by this Court and the same was also acceded to by the learned counsel for the petitioner/workman.

4. In view of the above consent expressed by the learned counsel on either side, this Court modifies the impugned award passed by the 1st respondent/Labour Court as follows :-

(i) the 2nd respondent/management is directed to pay a sum of Rs.1,00,000/- (Rupees One Lakh only), as compensation, in full quit, to the petitioner/workman, within a period of four (4) weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition stands disposed of.



No costs.

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27.02.2025

skt

Index : Yes / No
Speaking order : Yes / No
NCC : Yes / No

To

The Presiding Officer,
Principal Labour Court,
Vellore.



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M.DHANDAPANI, J.

skt

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27.02.2025