



W.P. No.24372 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.08.2025

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THE HONOURABLE Mr. JUSTICE P.DHANABAL

W.P. No.24372 of 2023
and W.M.P. No.23810 of 2023

The Management,
Chennai Metro Rail Limited,
Poonamallee High Road,
Koyambedu, Chennai -600 107.
Represented by Mr. G. Rajarathinam,
CGM (Legal).
..... Petitioner
Vs

The President,
CMRL Employees Union,
No.27, Mosque Street,
Chepauk, Chennai – 600 005.
..... Respondent.

PRAYER: The Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records connected with order dated 20.06.2023 made in I.A. No.3 of 2023 in O.P. No.10 of 2022 on the file of the Industrial Tribunal, Chennai and to quash the same.

For petitioner : Mr. M.V. Sanjay Mohan
For Mr. S. Ramasubramaniam
and Associates.

For Respondent : Mr. V. Ajay Khose

ORDER

This Writ petition is filed challenging the order passed by the Industrial



W.P. No.24372 of 2023

Tribunal, Chennai in I.A. No.3 of 2023 in O.P. No.10 of 2022 dated 20.06.2023, wherein the respondent herein has raised an industrial dispute as against the petitioner in O.P. No.10 of 2022. While pendency of the above said main petition, the respondent filed an application in I.A. No.3 of 2023 to call for the documents from the petitioner and the same was allowed. Aggrieved by the said order, the present Writ petition has been filed.

2. The learned counsel appearing for the petitioner would submit that the respondent filed a Claim petition before the Industrial Tribunal in O.P. No.10 of 2022 under Section 25T of the Industrial Disputes Act alleging that termination of service of 7 persons was illegal and an unfair labour practice and for initiating necessary action for the alleged unfair labour practice against the Management. In fact, the Management initiated disciplinary action against 7 persons and thereafter, terminated them from service based on the enquiry report. While so, the respondent filed an application for production of documents and all the documents are not relevant to decide the case and the office notes are confidential documents and without any reasons, those documents cannot be sought for, as a matter of right, by the respondent. Without going into the nature of the office notes and without considering as to how these private documents are relevant in the dispute relating to the



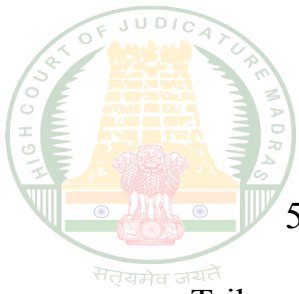
W.P. No.24372 of 2025

alleged unfair labour practice, the Industrial Tribunal has passed the order.

The petitioner is ready to produce the documents except Serial Nos.5, 14, 19, 23 and 24, since they are privileged and private documents and in the absence of any special reasons to produce those documents as a matter of right, these documents could not be sought for, but the Labour Court without considering the same, allowed the petition to produce the documents. Therefore, the order passed by the Labour Court is liable to be set aside.

3. The learned counsel appearing for the respondent would submit that the respondent raised an industrial dispute challenging the termination order passed against 7 employees. In order to prove the unfair labour practice of the petitioner Management, the documents are very essential and therefore, they filed a petition before the Industrial Tribunal and the Tribunal, after considering the nature of documents and the dispute pending before the Tribunal, correctly allowed the petition. Therefore, the petitioner Management has to produce the documents and the present Writ petition is liable to be dismissed.

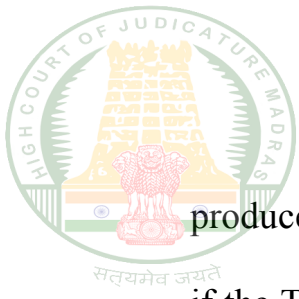
4. Heard both sides and perused all the materials available on record.



W.P. No.24372 of 2023

5. The respondent herein filed an application before the Industrial Tribunal under Section 25T of the Industrial Disputes Act in Claim O.P. No.10 of 2022. While pendency of the said petition, they filed an application in I.A. No.3 of 2023 to produce the documents alleging that they are very essential to prove the case of the respondent. Thereby, the Labour Court passed an order to produce those documents.

6. According to the petitioner Management, they are ready to produce all the documents except the documents in Serial Nos.5,14, 19, 23 and 24 stating that those documents are privileged and private documents and in the absence of any specific reasons to produce those documents as a matter of right, those documents could not be sought for. This Court also perused the records. On a careful perusal of records, it is seen that there is no any specific mention about the relevancy of particular documents. The respondent, in the petition, made omnibus grounds to produce the documents. The petitioner Management is ready to produce all the documents except some documents alleging that those documents are privileged and private documents. Without any specific reasons stated by the respondent to produce those documents, it is not appropriate to direct the petitioner to produce those documents. Therefore, the documents in Serial Nos.5, 14, 19, 23 and 24 could not be



W.P. No.24372 of 2025

produced by the petitioner by considering the nature of documents. However, if the Tribunal concludes that those documents are very essential to prove the claim between the parties during trial, then direct the petitioner to produce those documents by giving adequate reasons. If the petitioner fails to produce those documents, the Labour Court can draw adverse inference as against the petitioner for the particular purpose to which the documents are necessary.

7. With the above said observations, this Writ petition is partly allowed and the order passed by the Labour Court in respect of documents in Sl. Nos.5, 14, 19, 23 and 24 is set aside and in respect of all other aspects, the order of the Labour Court is confirmed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

12.08.2025

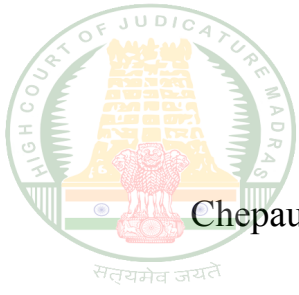
Index : Yes/No
Speaking order/non-speaking order
mjs

To
1. The Presiding Officer,
The Industrial Tribunal,
Chennai.

P.DHANABAL, J.,

mjs

2. The President,
CMRL Employees Union,
No.27, Mosque Street,



Chepauk, Chennai – 600 005.

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W.P. No.24372 of 2023

W.P. No.24372 of 2023

12.08.2025