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W.A.No.3030 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2025

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

W.A.No.3030 of 2025
and CMP.No.24522 of 2025

The Managing Director,
Chennai Metropolitan Water Supply
and Sewerage Board,
No.1, Pumping Station Road,
Chintadripet, Chennai-600 002

... Appellant

Vs.

1.N.Radhakrishnan

2.The Presiding Officer,
I Additional Labour Court,
Chennai.

... Respondents

PRAYER: Appeal is filed under Clause 15 of the Letters Patent, praying

to set aside the order dated 06.12.2024 made in W.P.No.11363 of 2011.

For Appellant : Mr.Krishna Ravindran

For Respondents : Mr.R.Jaikumar for R1



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JUDGMENT

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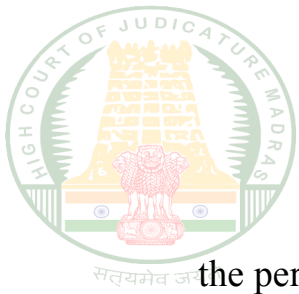
(Judgment of this Court was delivered by M.S.RAMESH.J)

This Writ Appeal has been filed to set aside the order dated 06.12.2024 made in W.P.No.11363 of 2011.

2. For the delinquency of unauthorized absence, the first respondent / workman was issued two charge memos dated 04.03.1987 and 21.05.1993. Such splitting up of the delinquency and issuance of two charge memos is impermissible in service law.

3. This apart, during the course of enquiry, sufficient opportunity was not extended to the first respondent / workman and thereby, the charges were held to be proved and the consequential dismissal order was passed. The Labour Court had properly appreciated these aspects and set aside the order of dismissal by directing the appellant / Management to reinstate the workman with continuity of service and full back wages.

4. When the appellant challenged the award of the Labour Court before the Writ Court, the learned Single Judge, taking into consideration



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the period of service of the first respondent and by taking into account that the workman had not denied the days of his absence, and that the period of work was lesser than the period of litigation, had reduced the back wages to 30%. In our view, such a stand was justifiably taken by the learned Single Judge.

5. For all the foregoing reasons, we do not find any valid ground to interfere with the order passed in the Writ Petition. Accordingly, the Writ Appeal stands dismissed.

6. The appellant shall comply with the order passed in W.P.No.11363 of 2011 dated 06.12.2024, as expeditiously as possible, in any event within a period of twelve (12) weeks from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petition is closed. No Costs.

[M.S.R., J] [R.S.V.,J]

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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M.S.RAMESH, J.
and
R.SAKTHIVEL, J.

Anu

To

The Presiding Officer,
I Additional Labour Court,
Chennai.

W.A.No.3030 of 2025
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