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CRP No. 3274 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE N. MALA

CRP No. 3274 of 2025

AND

CMP NO. 18105 OF 2025, CMP NO. 21132 OF 2025

1. M/s. C.K.Anantha Subramanian
Chairman and Managing Director, M/s
Viprah Technologies Ltd.,
Azhampalayam Village, Thekkalur
Post, Avinashi Tk., Coimbatore Dist.

Petitioner(s)

Vs

1. T.R.Rajasekar
C/o.Bharathiyar Mazdoor Sangh,
No.231 Sathy Road, Ganapathy,
Coimbatore - 641 006.

2.P.Arumugam
C/o.Bharathiyar Mazdoor Sangh,
No.231 Sathy Road, Ganapathy,
Coimbatore - 641 006.

3.C.P.Balachandran Nair
C/o.Bharathiyar Mazdoor Sangh,



No.231 Sathy Road, Ganapathy,
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WEB 4.S.Balamurugan

C/o.Bharathiyar Mazdoor Sangh,
No.231 Sathy Road, Ganapathy,
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5.S.Bizumohan

C/o.Bharathiyar Mazdoor Sangh,
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6.P.Durairaj

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10.M.Manuvelraj

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WEB CDP 11.R.Murugavel

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12.A.Muthiya Pandian
C/o.Bharathiyar Mazdoor Sangh,
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13.S.Muthukumar
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14.A.Ponnandi
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15.V.Ragu
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16.M.Ragunathan
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17.S.Saravanan
C/o.Bharathiyar Mazdoor Sangh,



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WEB (18.S.Sivakumar

C/o.Bharathiyar Mazdoor Sangh,
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19.R.Sutharsan

C/o.Bharathiyar Mazdoor Sangh,
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Respondent(s)

PRAYER:-

Civil Revision Petition filed under Article 227 of the Constitution of India praying to set aside the order dated 02-06-2025 passed in EA.No.16 of 2025 in EP.No.156 of 2013 on the file of the Addl.Labour Court, Coimbatore.

For Petitioner(s): Mr.Dhanaram Ramchandran

For Respondent(s): Mr.T.Balaji for R1

M/s.P.J. Sri Ganesh

For RR 2 to 19

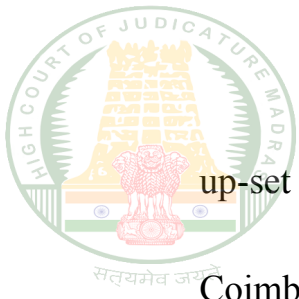
ORDER

(1)The Civil Revision Petition is filed by the petitioner challenging the order dated 02.06.2025, in EA.No.16/2025 in EP.No.156/2013, whereunder the up-set price was reduced from Rs.8 Crores to Rs.5 Crores.



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(2) The case has a long history, suffice it to state, the petitioner suffered an Award in ID.Nos.221 to 232/2001, 271 to 276/2001, 341/2001, 349/2001 and 82/2002 on the file of the Additional Labour Court, Coimbatore, on 30.11.2004. The Labour Court, in its Award, directed the petitioner herein to reinstate the respondents with continuity of service, full back wages and other attendant benefits. As the petitioner did not comply with the Award, the respondents were constrained to file a Claim Petition in CP.No.132/2012 before the Additional Labour Court, Coimbatore, claiming an amount of Rs.1,11,15,341.02p. In the Claim Petition, the Additional Labour Court, Coimbatore, passed an order on 13.09.2012, directing the petitioner to pay the aforesaid sum. As, even after the order in CP.No.132/2012, the petitioner did not take any steps to settle the respondents' dues, the respondents filed EP.No.156/2013 before the Additional Labour Court, Coimbatore, The petitioner's attempt in challenging the Award before this Court in WP.Nos.19567 to 19587/2005, was unsuccessful. In EP.No.156/2013, the petitioner's properties were attached and initially, the up-set price for the sale of the properties was fixed at Rs.18 Crores. Since there were no buyers, the



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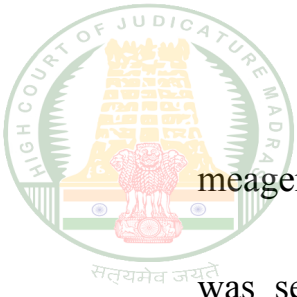
up-set price was reduced by various orders of the Additional Labour Court, Coimbatore, and finally, by the impugned order dated 02.06.2025, in

EA.No.16/2025, the up-set price has been further reduced from Rs.8 Crores to Rs.5 Crores. Aggrieved by the said impugned order, the petitioner has filed the above Civil Revision Petition.

(3)When the Civil Revision Petition was taken up for admission, an interim order was passed by this Court on 30.07.2025, on condition that the petitioner should deposit 50% of the amount to the credit of the Computation Petition in CP.No.132/2012, within four weeks from the date of receipt of a copy of that order. As the petitioner was not able to comply with the aforesaid interim order, he filed an application in CMP.No.21132/2025, seeking extension of time by four weeks for complying with the order dated 30.07.2025.

(4)When CMP.No.21132/2025 was listed for hearing, with the consent of both the learned counsels, the main Civil Revision Petition was taken up for final disposal.

(5)The learned counsel for the petitioner submitted that the property worth over Rs.25 Crores is sought to be knocked off by fixing of the up-set price at a



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meager Rs.5 Crores. The learned counsel further submitted that the property was separable and saleable and it was not necessary to bring the entire property for sale to settle the dues of the respondents.

(6) On the other hand, the learned counsel for the respondents submitted that the motive behind the filing of the Civil Revision Petition was only to drag the proceedings which the petitioner has successfully done for over 20 years. Despite the fact that the award in CP.No.132/2012 was passed as early as in 2012, the respondents have not been able to enjoy the fruits of the order till date. The learned counsel therefore prays for dismissal of the Civil Revision Petition.

(7) Heard both sides and perused the materials placed on record.

(8) The learned Presiding Officer, Additional Labour Court, Chennai, in the impugned order, has clearly recorded that the petitioner had not produced any documents to show that the property was separable and saleable. The Court further recorded that the up-set price which was originally fixed at Rs.18 Crores and subsequently, reduced upto Rs.8 Crores, did not fetch any buyers. The property remained unsaleable and therefore, the respondents filed



EA.No.16/2025 for further reduction of the up-set price to Rs.5 Crores. The

Labour Court, finding that unless and until the upset price was further reduced, the property would not be sold and the decree amount would not be realised, passed the impugned order.

(9)I find absolutely no infirmity or illegality in the impugned order of the Labour Court. The petitioner though stated that the property was separable and saleable, did not produce any documents and further there was absolutely no evidence to substantiate the petitioner's claim that the property was worth more than Rs.30 Crores.

(10)The High Court, has to exercise its power under Article 227 of the Constitution of India, judiciously and cannot interfere with the orders of the Tribunals or the Subordinate Courts on mere asking. It would be relevant to refer to a judgment of Hon'ble Supreme Court delineating the limitations on the power of judicial review under Article 227 of the Constitution of India.

(11)In *Shalini Shyam Shetty Vs. Rajendra Shankar Patil [2010 [8] SCC 329]*, the Hon'ble Supreme Court has held as follows:-



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"49.[m]:-....The power of interference under [Article 227] is to be kept to the minimum to ensure that the wheel of justice does not come to a halt and the fountain of justice remains pure and unpolluted in order to maintain public confidence in the functioning of the Tribunals and Courts subordinate to the High Court.

49[c]:High Courts cannot, at the drop of a hat, in exercise of its power of superintendence under Article 227 of the Constitution, interfere with the orders of Tribunals or Courts inferior to it. Nor can it, in exercise of this power, act as a court of appeal over the orders of the Court or Tribunal subordinate to it."

(12)Under the facts and circumstances of the case and in view of the categorical pronouncement of the Hon'ble Supreme Court, this Court is not inclined to interfere with the reasoned order of the learned Presiding Officer, Additional Labour Court, Coimbatore. This Court hence finds no merit in the Civil Revision Petition.

(13)Hence, the Civil Revision Petition is **dismissed confirming the order dated 02-06-2025 passed in EA.No.16 of 2025 in EP.No.156 of 2013 by the**



learned Presiding Officer, Additional Labour Court, Coimbatore. No

costs. Consequently, connected miscellaneous petitions are closed.

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AP

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

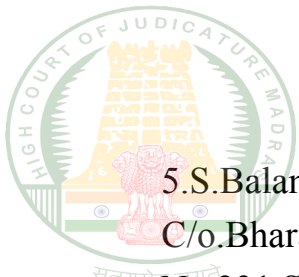
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