



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 07-08-2025

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

WP Nos.32790 to 32799 of 2017

and

WMP Nos.36123 to 36132 of 2017

C.Raju,
S/o.A.Chinthamani,
No.5, 4th Anna Street, Manali,
Chennai-68.

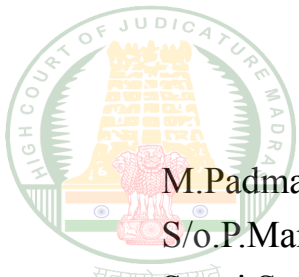
Petitioner(s) in W.P.No.32790 of
2017

B.Sundaram
S/o.B.Devasagayam,
No.12, Januvas Street, Bank colony,
Madhavaram Milk Colony, Chennai 600 051

Petitioner(s) in W.P.No.32791 of 2017

M.Parthasarathy
S/o.A.Manickam,
No.14/27, S.V.Koil Street,
Madhavaram, Chennai 600 060.

Petitioner(s) in W.P.No.32792 of 2017



M.Padmanabhan
S/o.P.Mani, No.18/B, Lal Bahadur,
Sastri Street, Periyathoppu, Manali, Chennai-68.

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Petitioner(s) in W.P.No.32793 of 2017

D.Veerappa
S/o.D.Narayana, No.12, 2nd Street,
Sadanandha Salai, Raja Nagar,
Madhavaram Milk Colony, Chennai-51

Petitioner(s) in W.P.No.32794 of 2017

A.Pandiyaraj
S/o.M.Athithan,
No.3841, 42nd Street, 1st Main Road,
Mathur, MMDA, Chennai 600 068.

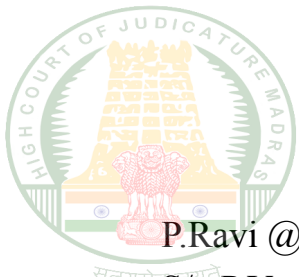
Petitioner(s) in W.P.No.32795 of 2017

P.Nandakumar
S/o.L.Venkaiah,
No.5, Kasthurbauiy Street,
Coronation Nagar, Korukkupet,
Chennai-600 021.

Petitioner(s) in W.P.No.32796 of 2017

E.Venkatesh
S/o.P.Ezhumali,
No.14/6, 7th Street, Sathyavani Nagar,
Ennore, Chennai 600 057.

Petitioner(s) in W.P.No.32797 of 2017



P.Ravi @ P.Ravikumar

S/o.P.Venkatasamy,

No.4311 B, First Main Road,

33rd Street, MMDA, Mathur, Chennai-600 068.

Petitioner(s) in W.P.No.32798 of 2017

G.Mohan Rao,

S/o.G.Moses,

No.24/31, Parthasarathy

Street, Coronation Nagar, Korukkupet,

Chennai 600 021.

Petitioner(s) in W.P.No.32799 of 2017

Vs.

1. Madras Fertilizers Limited,

Rep. by its Chairman and Managing

Director,

Manali, Chennai 600 068.

2.The General Manager (P and A)

Madras Fertilizers Limited,

Manali, Chennai 600 068.

Respondent(s) in all W.P's



PRAYER in all W.Ps': Writ Petitions filed under Article 226 of the

Constitution of India, praying for issuance of a Writ of Certiorari and Mandamus,

calling for the records from the files of the 2nd respondent dated 08.12.2017

and quash the same and consequently direct the respondents to reinstate the

petitioner in service with continuity of service and with all other consequential

monetary and service benefits.

For Petitioner(s): Mr.K.M.Ramesh,
Senior Counsel
for Mr.S.Apunu

For Respondent(s): Mrs.Rita Chandrasekar
for M/s.Aiyar and Dolia For R2
No appearance – R1

COMMON ORDER

Since the issues involved and the reliefs sought in all these writ petitions are identical in nature, they were heard together and are being disposed of by this common order.



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2. The captioned writ petitions have been filed for issuance of a writ of certiorarified mandamus, to quash the communications issued by the second respondent, whereby, on account of the expiry of the petitioners' training period — which concluded at the close of office hours on 08.12.2017 — the petitioners were not absorbed into the service of the respondent-company and were consequently relieved from service on the said date.

3. Mr. K. M. Ramesh, learned Senior Counsel appearing for the petitioners, submitted that the petitioners were not, in fact, working as trainees, but were discharging duties on a regular basis. It was therefore contended that the termination of their services was illegal and that the petitioners are entitled to absorption in service, in the same manner as similarly placed persons whose services had been regularised.

4. Per contra, the learned counsel for the second respondent, submitted that the petitioners fall within the definition of “workmen” under Section 2(s) of the Industrial Disputes Act, 1947. She further contended that the question of



whether the petitioners were working on a regular basis or as trainees is a disputed question of fact, which cannot be adjudicated in writ proceedings.

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Accordingly, she submitted that the present writ petitions are not maintainable.

5. Having considered the rival submissions, this Court is of the view that the issues raised in these petitions involve disputed questions of fact which cannot be adjudicated within the limited scope of writ jurisdiction under Article 226 of the Constitution of India. Consequently, the writ petitions are disposed of by preserving the liberty of the petitioners to approach the jurisdictional Industrial Tribunal by raising an industrial dispute under Section 2A(1) of the Industrial Disputes Act, 1947.

6. In this context, it is relevant to note Section 2A(3) of the Act, which prescribes a limitation period of three years from the date of termination for raising an industrial dispute. However, as the petitioners have been prosecuting the present writ petitions since 14.12.2017, the period spent in such prosecution shall be excluded for the purpose of computing limitation under Section 2A(3) of the Act.



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7. In the event the petitioners choose to raise disputes under Section 2A(1) of the Act, all rights and contentions of the parties are left open to be urged before the competent Labour Court/Industrial Tribunal, which shall adjudicate the same on their own merits and in accordance with law.

8. With the above observations and directions, these writ petitions stand disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

07-08-2025

jd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. Madras Fertilizers Limited,

Rep. by its Chairman and Managing

Director,

Manali, Chennai 600 068.

2. The General Manager (P and A)

Madras Fertilizers Limited,

Manali, Chennai 600 068.



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WP No. 32790 of 2017



HEMANT CHANDANGOUDAR.J.,
jd

WP.Nos.32790 to 32799 of 2017

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