



W.A(MD) No.784 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 13.02.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**W.A(MD) No.784 of 2021
and
C.M.P.(MD)No.3529 of 2021**

The Management of South India
Co-operative Spinning Mills Ltd.,
Pettai,
Tirunelveli-627 010.

... Appellant / Petitioner

Vs

1.The Presiding Officer,
Labour Court,
Tirunelveli.

2.K.Arumugam

... Respondents / Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order passed by this Court in W.P.(MD)No. 9594 of 2012, dated 05.12.2019.

For Appellants : Mr.M.Elanchezhian



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For Respondents : Mr.S.Mohan Gandhi

ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The second respondent herein was employed in the appellant mill. He was dismissed from service. Questioning the same, he raised an industrial dispute. It ended in favour of the workman. He was ordered to be reinstated and backwages ordered to be paid. Subsequently, to enforce the award, the workman filed C.P.No.28 of 2003. It also ended in his favour. The said order thus became final. To enforce the said award, the workman filed E.P.No.21 of 2012 before the Labour Court, Tirunelveli. It was allowed. Challenging the same, the management filed W.P.(MD)No.9594 of 2012. The learned single Judge vide order dated 05.12.2019 dismissed the writ petition. Questioning the same, this intra-Court appeal has been filed.



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3. When the primary order has ended in favour of the workman, the question of challenging the consequential proceedings will not arise at all. The order passed by the learned single Judge cannot be faulted. It is for the workman to work out his remedy in the manner known to law. The Writ Appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S., J.) (M.J.R., J.)
13.02.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
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