



WEB COPY



1

W.A.(MD)Nos.123 OF 2023

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 19.06.2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**AND**

**THE HON'BLE MR.JUSTICE K.RAJASEKAR**

**W.A.(MD)Nos.123 & 124 of 2023 &**  
**C.M.P.(MD)Nos.1569 & 1572 of 2023**

W.A.(MD)No.123 of 2023

The Management of A.1480  
Pannaikkadu Cooperative Stores Limited,  
Pannaikkadu,  
Kodaikanal Taluk,  
Dindigul District.

... Appellant / Petitioner

Vs.

1. The Presiding Officer,  
Labour Court,  
Tiruchirappalli.

2. Muruganantham

... Respondents / Respondents

W.A.(MD)No.124 of 2023

The Management of A.1480  
Pannaikkadu Cooperative Stores Limited,  
Pannaikkadu,  
Kodaikanal Taluk,  
Dindigul District.

... Appellant / Petitioner

Vs.



1. The Presiding Officer,  
Labour Court,  
Tiruchirappalli.

2. Rajagopal

... Respondents / Respondents

**Common Prayer:** Writ Appeals filed under Clause 15 of Letters Patent, to allow the writ appeals and set aside the order passed by this Court in W.P.(MD)Nos.2285 and 2286 of 2014 dated 31.10.2022.

(in both W.As.)

For Appellant : Mr.V.O.S.Kalaiselvam  
For R-2 : Mr.Mohammed Suhail

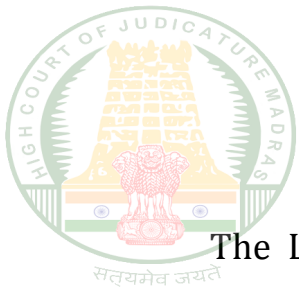
\* \* \*

### **COMMON JUDGMENT**

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

Heard both sides.

2. The management of a Cooperative Society is the appellant in both the writ appeals. The management issued orders of termination against the second respondents herein on the ground that they had indulged in misappropriation. Termination orders were passed way back in the year 1991. The employees had joined service in the year 1981. They raised industrial dispute before the Labour Court, Trichy.



The Labour Court, Trichy passed awards in their favour directing their reinstatement together with 50% back wages. Challenging the same, the management filed writ petitions. Both the writ petitions were partly allowed by the learned single Judge in the following terms:-

“9. This Court has taken the rival submission on the either side and has given its anxious consideration. It is seen from the records that the charge memo was issued after 7 ½ years from the date of occurrence. Since the Labour Court has held that the allegations were not proved and since the second respondents are nearing 68 and 70 years, this Court is of the considered opinion that the award of the Labour Court ought to be confirmed in order to meet the ends of justice. Moreover, based on the belated charge memo also this relief is granted. Therefore, this Court is confirming the award of the Labour Court and the petitioner's Management are directed to pay 50% of back wages to the second respondents until their superannuation.

10. The Labour Court has allowed the petitions of the second respondents on payment of costs. This Court is setting aside that portion of the



order where the cost is imposed.”

Challenging the same, these writ appeals have been filed.

3. When the Labour Court has gone into the question of fact and rendered the decision and the same has also been once again gone into by the learned single Judge, the question of the Division Bench re-appreciating the facts does not arise at all. In this view of the matter, these writ appeals are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

**(G.R.SWAMINATHAN, J.) & (K.RAJASEKAR, J.)**  
**19<sup>th</sup> June 2025**

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

**To:**

The Presiding Officer,  
Labour Court,  
Tiruchirappalli.



WEB COPY



5

W.A.(MD)Nos.123 OF 2023

**G.R.SWAMINATHAN,J.**

**AND**

**K.RAJASEKAR, J.**

PMU

W.A.(MD)Nos.123 & 124 of 2023

19.06.2025