



W.P(MD)No.3037 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.3037 of 2022 and
WMP(MD) No.2653 of 2022

The Management / President,
Q.1245 Vallam Primary Agricultural Co-operative
Credit Society,
Vallam,
Paramakudi Taluk,
Ramnad District.

... Petitioner

Vs

V. Chandrasekaran

... Respondent

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records pertaining to the order passed in ID.No.217 of 1994, dated 13.09.2006, on the file of the District Labour Court, Madurai and quash the same.

For Petitioner	: Mr.C.Venkatesh Kumar Special Government Pleader
For Respondent	: No appearance



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ORDER

A Primary Agricultural Co-operative Credit Society at Vallam has filed this writ petition as against the award passed by the Labour Court, Madurai in ID No. 217 of 1994, dated, 13.09.2006. The above Industrial Dispute has been raised by the respondent Chandrashekhar, claiming to be an employee of the petitioner Society, under Section 2A(2) of the Industrial Disputes Act that he has been terminated from service, without conducting any enquiry. He has also sought for employment with continuity of service with back wages. The said Industrial Dispute was allowed by the Labour Court, Madurai by its order dated, 13.09.2006 that the respondent is entitled for reinstatement along with back wages at the rate of 5% of the last drawn wages. Aggrieved by that order, the present writ petition has been filed by the Management through its elected President.



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2.This writ petition was admitted for hearing on 16.02.2022 and taken up for final hearing on 28.10.2025. On that day, there was no representation for the petitioner Society. Therefore, this Court directed the Registry to list the matter under the caption 'for dismissal' on 30.10.2025. Even on that date, there was no representation for the petitioner Society and therefore, this Court directed the learned Special Government Pleader to get instructions from the petitioner Society and to proceed with the writ petition. Registry was also directed to furnish copies to the learned Special Government Pleader.

3. A representation has been made by the learned counsel that the petitioner is not prosecuting the case and they are withdrawing this writ petition. However, he is not the counsel on record and therefore, this Court, by its order, dated 10.11.2025, directed the petitioner to be present before this Court along with the written instructions.



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4.The Secretary of the petitioner Society is present before this Court and also submitted a letter, dated, Nil, addressed to "The Advocate, High Court, Madurai Bench", that pending this writ petition, a claim petition has been filed by the respondent and it was allowed exparte, by order, dated 02.02.2019. To set aside the exparte order, an application was filed by the petitioner Society before the Labour Court, Madurai in I.A.No.191 of 2019. The Labour Court, Madurai has directed the petitioner Society to deposit 25% of the amount awarded by the Labour Court in the claim petition. Aggrieved by that order, the petitioner Society has filed a Civil Revision Petition in CRP (MD) No.693 of 2021 and the same was allowed, by modifying the condition to deposit a sum of Rs.1,00,000/-, instead of 25% of the award amount. Thereafter, in the claim petition, a modified order has been passed to pay a sum of Rs.6,72,180/- with 6% interest, instead of 25% of the award amount. The Society said to have obtained a legal opinion and the legal Expert has opined that it is not a fit case for appeal and therefore, they have not preferred any appeal. Subsequently, a summon has



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been issued to the petitioner Society in EP No.10 of 2025 by the Labour Court, based on which, the petitioner Society has settled the amount due to the respondent. Therefore, it is now reported that the Society is not prosecuting this writ petition any further.

5. This Court considered the submissions made by the Secretary in her letter, dated, Nil.

6. The respondent/NMR has raised an Industrial Dispute in ID.No.217 of 1994 as if he has been terminated without any proceedings. In the above Industrial Dispute, the petitioner Society has taken a plea that the respondent was engaged in a fair price shop, on daily wage basis and he himself has discontinued in the year 1992, however, ID has been raised and it was decided only in the year 2006, after a period of 12 years, wherein, the Labour Court, by its order, dated 13.09.2006, has passed an award that the respondent is entitled for reinstatement along with backwages at the rate of 5% of the last drawn wages. Challenging the same, the petitioner



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Society has filed this writ petition. Though the petitioner Society is having a good case, they have not followed up the case in a proper manner and now, they seek permission of this Court to withdraw this writ petition. The Secretary of the petitioner Society, who is present before this Court has also made an endorsement to that effect.

7. Considering the submission made by the Secretary of the petitioner Society and her letter, this writ petition is dismissed as withdrawn. A copy of the order shall be marked to the Joint Registrar of the Co-operative Societies, Ramanathapuram Zone, to ascertain the manner, in which, this writ petition was filed and it is now withdrawn. No costs. Consequently, connected Miscellaneous petition is closed.

11.11.2025

Index:Yes
Internet:Yes
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Copy to

The Joint Registrar of the Co-operative Societies,
Ramanathapuram Zone,
Collector Office Campus,
Ramanathapuram – 623 503.



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B.PUGALENDHI, J.

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Order made in
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