



WP(MD)Nos.4146 to 4163 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.10.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)Nos.4146 to 4163 of 2024

and

**WMP(MD)Nos.3996, 3998, 4000, 4001, 4013,
4016, 4017, 4019, 4003, 4007, 4010, 4026, 4027,
4025, 4024, 4004, 4006
and 4009 of 2024**

1.The Managing Director,
TWAD Board,
31, Kamarajar Salai,
Chepauk, Chennai – 600 005.

2.The Executive Engineer,
TWAD Board, Rural Water Supply Division,
No.1, C.Observatory Street,
Nagercoil, Kanyakumari District.

3.The Executive Engineer,
TWAD Board,
Toothukudi District.

...Petitioner in WPs

Vs

A.Sahadevan	... Respondent in WP(MD)No.4146 of 2024
Y.Sahayadhas	... Respondent in WP(MD)No.4147 of 2024
P.Vijaya Kumaran	... Respondent in WP(MD)No.4148 of 2024
S.M.Bensinger	... Respondent in WP(MD)No.4149 of 2024
K.P.Premachandran	... Respondent in WP(MD)No.4150 of 2024
S.Xavier	... Respondent in WP(MD)No.4151 of 2024
R.Ravi	... Respondent in WP(MD)No.4152 of 2024



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K.Padma Rajan	... Respondent in WP(MD)No.4153 of 2024
T.S.Christin Bell	... Respondent in WP(MD)No.4154 of 2024
D.Robinson	... Respondent in WP(MD)No.4155 of 2024
T.Sundara Raj	... Respondent in WP(MD)No.4156 of 2024
K.Bahuleyan	... Respondent in WP(MD)No.4157 of 2024
A.Sathia Jacob	... Respondent in WP(MD)No.4158 of 2024
A.Raj	... Respondent in WP(MD)No.4159 of 2024
A.Bright Singh	... Respondent in WP(MD)No.4160 of 2024
D.Yesudhas	... Respondent in WP(MD)No.4161 of 2024
A.Selvin Joseph	... Respondent in WP(MD)No.4162 of 2024
A.Lakshmana Perumal	... Respondent in WP(MD)No.4163 of 2024

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus to call for the records relating to the order dated 11.07.2023 made in IA.No.1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1 and 1 of 2021 in ID.Nos. 138, 144, 140, 141, 145, 147, 149, 150, 152, 153, 154, 156, 148, 142, 146, 143, 139, 137 of 1997 respectively on the file of the Labour Court, Tirunelveli and to quash the same and to consequently direct disbursement of conditional deposit amount of Rs.1,50,000/- along with accrued interest to the petitioners.

For Petitioner : Mr.Veera Kathiravan

Additional Advocate Geneneral
Assisted by Mr.Vijay Karthikeyan.B

For Respondent : Mr.D.Anbarasu

in all WPs



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ORDER

The Tamil Nadu Water Supply and Drainage Board (TWAD Board) has filed these writ petitions as against the orders passed by the Labour Court, Tirunelveli in the interlocutory applications filed by the petitioners in the industrial disputes raised by the respondents / workmen with regard to the amount deposited by the TWAD Board in ID.Nos.138, 144, 140, 141, 145, 147, 149, 150, 152, 153, 154, 156, 148, 142, 146, 143, 139, 137 of 1997.

2.The respondents / workmen have raised industrial disputes before the Labour Court, Tirunelveli in the year 1997 seeking for reinstatement, regularisation of services and back wages. An ex-parte award was passed by the Labour Court on 10.05.2002. Aggrieved over the same, the TWAD Board filed writ petitions in WP.Nos.34519 of 2003 to 34539 of 2003 before the Principal Seat and this Court has granted an interim order. One of the workmen has filed an application to vacate the interim order in WP.No.34352 of 2003 and this court has vacated the interim order in that writ petition. As against the same, the TWAD Board



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has filed writ appeal before this court in WA.No.2076 of 2005 and it has been disposed as under:

“5.The learned counsel appearing for the Board fairly states that except the reason that the matter was transferred from one Court to another, they have no other reason for not filing counter nearly for a period of five years. Taking note of the grievance expressed and considering the fact that there is no fault on the part of the workman, the matter is being kept pending for nearly 10 years and in order to resolve the issue one way or other, we direct the Tamil Nadu Water Supply Board to deposit a sum of Rs.1,50,000/- to the credit of I.D.No.148 of 1997 on the file of Labour Court, Tirunelveli, within a period of six weeks from today.

6.The said deposit is without prejudice to their stand before the Labour Court, Tirunelveli. On such deposit being made, the Labour Court is directed to invest the entire amount in a Nationalised Bank initially for a period of one year. In addition to the above condition, the appellants-TWAD Board are directed to pay a cost of Rs. 10,000/- to the workman V.Sathiya Jacob by way of pay order within the same period. It is made clear that failing



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compliance of any one of the conditions, the ex-parte award passed on 10.05.2002 shall stand. On compliance of both the conditions, they are permitted to file their counter statement/objection within a period of two weeks. On counter being filed, the Labour Court is directed to dispose of the main I. D.No.148 of 1997 accordance with law on merits and in after affording an opportunity to both parties within a period of three months thereafter”.

3.Pursuant to this order, the TWAD Board deposited a sum of Rs.1,50,000/- in the said industrial dispute and also paid a sum of Rs.10,000/- towards cost for setting aside the ex-parte order. The Labour Court has proceeded further with the industrial disputes and allowed the same in favour of the workmen by ordering for reinstatement with back wages. However considering that there was no work rendered by the workman, back wages was restricted to 30%. This order of the Labour Court for reinstatement with back wages was also challenged by the TWAD Board by way of writ petitions before this court and the same were dismissed on 03.04.2014. The writ appeals preferred by the TWAD board were also dismissed on 01.06.2015. Thereafter TWAD board has also filed Special Leave Petition before the Hon'ble Supreme Court and



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the same was dismissed on 07.05.2019. Thereafter the orders of the Labour Court was implemented and all the workmen were reinstated with back wages on 21.05.2022. The workmen have filed interlocutory applications in the industrial disputes for withdrawal of the amount deposited by the TWAD Board pursuant to the orders of the Division Bench in WA.No.2076 of 2005 dated 06.09.2006. The Labour Court has also allowed those interlocutory applications by order dated 07.11.2023. As against the same these writ petitions are filed.

4.The learned Additional Advocate General appearing for the petitioner by referring to the orders of the Division Bench submits that this sum of Rs.1,50,000/- was directed to be deposited by the TWAD Board in the industrial dispute without prejudice to their stand before the Labour Court. He also pointed out that apart from the deposited amount, the Division Bench has also imposed a cost of Rs.10,000/- to be paid by the TWAD Board to those workmen who have raised industrial disputes. The cost amount has been paid and the industrial disputes were allowed in favour of the workmen with back wages. Therefore, according to him, this amount was directed to be deposited in order to make the department



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to contest the case without any further delay and without prejudice to their stand before the Labour Court. Therefore, according to him, the workmen are not entitled for this deposited amount.

5.The learned counsel for the respondents / workmen submits that the workmen were terminated from service in the year 1995 and therefore, industrial disputes were raised by the workmen in the year 1997. The TWAD Board has delayed the industrial disputes by not filing their counter. Therefore the Labour Court has set them ex-parte. This court has directed the TWAD Board to deposit a sum of Rs.1,50,000/- as cost, considering the manner in which the workmen have been defeated from fresh claim by delaying the process and they are entitled for this deposited amount as directed by the court.

6.This court considered the rival submissions made and perused the materials placed on record.

7.The Division Bench of this court in the writ appeal filed as against the order vacating the interim order granted by the writ court,



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has passed a conditional order to deposit a sum of Rs.1,50,000/- to the credit of ID.No.148 of 1997. The writ appeal has been disposed of by setting aside the ex-parte order with a cost of Rs.10,000/- to be paid by the TWAD Board to the workmen. This conditional order has been followed by the subsequent Division Bench in the writ appeals. The Division Bench has directed the TWAD Board to deposit a sum of Rs.1,50,000/- without prejudice to their stand in the Labour Court, apart from the cost of Rs.10,000/-. However either of the parties have not raised any ground before the Labour Court, while disposing the industrial disputes. The TWAD Board has also failed to raise any ground in the writ appeals filed as against the award passed by the Labour Court and also before the Hon'ble Supreme Court.

8.A plain reading of the order passed by the Division Bench would disclose that the amount was directed to be deposited without prejudice to the stand of the TWAD Board, in addition to the cost of Rs.10,000/-, imposed as against the TWAD Board for setting aside the ex-parte order. This cost amount as ordered was also paid. The industrial disputes were also allowed in favour of the workmen with continuity of



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service and back wages to an extent of 30%. While so the workmen are not entitled for this deposited amount, which has been ordered to be deposited in addition to the cost. Therefore, these writ petitions are allowed. The impugned orders are set aside.

9.The Labour Court is directed to return the amount deposited by the TWAD Board as directed by the Division Bench with interest, to the TWAD Board. Apart from this amount, if any other deposit is made, meant for the workmen, the same shall be disbursed to the workmen. No costs. Consequently connected miscellaneous petitions are closed.

16.10.2025

DSK

To

- 1.The Presiding Officer,
Labour Court, Tirunelveli.
- 2.The Managing Director,
TWAD Board,31, Kamarajar Salai,
Chepauk, Chennai – 600 005.
- 3.The Executive Engineer,
TWAD Board, Rural Water Supply Division,
No.1, C.Observatory Street,

9/11



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Nagercoil, Kanyakumari District.

4.The Executive Engineer,
TWAD Board,
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B.PUGALENDHI.J.,

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