



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 11.06.2025

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.16506 of 2019
and
W.M.P.(MD) No.13158 of 2019

1.The Management of Daily Thanthi,
Mayiladhuthurai.

2.The Management of Daily Thanthi,
District Head Office,
Tanjavur.

...Petitioners

Vs

V.Boopathi

...Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records in I.A.No.05 of 2019 in I.D.No.100 of 2018 on the file of Labour Court, Kumbakonam, dated 07.05.2019 and quash the same.

For Petitioners : Mr.M.P.Senthil

For Respondent : Ms.D.Deepamathi



WEB COPY

ORDER

The respondents in I.D.No.100 of 2018 on the file of the Labour Court, Kumbakonam, have filed the present writ petition, challenging the dismissal of their application seeking leave of the Court for reception of documents.

2.The respondent herein, claiming to be a workman of the petitioner Management had raised an industrial dispute in I.A.No.8 of 2015 before the Labour Court, Cuddalore, alleging that he had been illegally terminated from service.

3.In the said petition, the Management has filed a counter on 06.04.2016. Pending trial, the Management has filed I.A.No.5 of 2019, seeking leave of the Court to mark three documents. This application was resisted by the workman contending that there is a delay on the part of the Management and these documents are not relevant for the purpose of disposal of the industrial dispute.

4.The Labour Court, after considering the submissions on either side, has arrived at a finding that these documents are not relevant for the disposal of the industrial dispute. Challenging the same, the present Writ Petition has been filed.



WEB COPY

5. According to the learned counsel appearing for the writ petitioner, the petitioner Management is attempting to mark the Identity Card, EPF slip and a copy of newspaper to establish that there is no branch for the petitioner Management at Mayiladuthurai. The relevancy of these documents to be established only during at the time of marking. Therefore, the labour Court was not right in dismissing the Leave Application.

6. *Per contra*, the learned counsel appearing for the respondent/workman submitted that unless the relevancy of these documents are established, the Management cannot be permitted to mark these documents belatedly.

7. Heard both sides and perused the records.

8. The petitioner Management has taken a specific defense that the respondent is not their employee. In such circumstances, marking of Identity Card, EPF slip and a copy of the newspaper may have some relevance to the dispute raised by the respondent/workman. In such circumstances, the Labour Court ought not to have decide the issue of relevancy at the time, when the Management just seeks the leave of the Court to receive the documents.



WEB COPY

9. In view of the aforesaid deliberations, the order impugned in the writ petition is set aside. I.A.No.5 of 2019 on the file of the Labour Court, Kumbakonam stands allowed. The respondent is at liberty to raise the issue of relevancy of these documents at the time of marking of these documents. Considering the fact that the dispute is pending for the past 7 years, the Labour Court is directed to dispose of the petition on or before 31.12.2025.

10. The Writ Petition stands allowed, accordingly. No costs. Consequently connected Miscellaneous Petition is closed.

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

11.06.2025

mm



WEB COPY



R.VIJAYAKUMAR, J.

mm

W.P.(MD)No.16506 of 2019

11.06.2025