



WP(MD)Nos.24662 and 24901 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)Nos.24662 and 24901 of 2016

and

WMP(MD)Nos.17781 and 18011 of 2016 and 6698 of 2017

in WP(MD)No.24662 of 2016

J.Tamilvanan

...Petitioner

Vs

**1.The Labour Court,
Bharathi Ula Road,
Thamaraitthotti near,
K.Pudur, Madurai.**

**2.A 294 Madurai cum Ramnad District,
General Employees Co-operative Thrift and
Credit Society,
Rep by its President,
No.36, Kennet Cross Road,
Ellis Nagar, Madurai – 10.**

**3.The Deputy Registrar of
Co-Operatives Societies,
Madurai Circle,
Krishnarayar Theppakulam Street,
Madurai – 1.**

...Respondents



WP(MD)Nos.24662 and 24901 of 2016

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of certiorarified mandamus calling for the records pertaining to the impugned notice dated 09.12.2016 issued in Form – N by the 2nd respondent, quash the same and to forbear the respondents 2 and 3 from reducing the pay of the petitioner in violation of the settlement under Section 12(3) of the ID Act, dated 14.05.2013.

For Petitioner : Mr.Ajoykhose
for Mr.A.Rahul
For Respondent : Mr.S.Vinodh
No.1 Government Advocate
For Respondent : Mr.M.Ganesan for
No.2 Mr.T.Ravichandran
For Respondent : Mr.R.Baskaran
No.3 Additional Advocate General
assisted by
Mr.C.Venkateshkumar,
Special Government Pleader

in WP(MD)No.24901 of 2016

- 1.Tamilaga Kooturavu Sanga Uliyar Sangam,
affiliated to Tamil Nadu Co-Operative Employees Federation,
Rep by its General Secretary R.Lenin,
- 2.M.Ganesan
- 3.O.Kandeeban
- 4.V.Rajambal
- 5.D.Muthalagu
- 6.R.Santhi (deleted)
- 7.P.Kubendran (deleted)



WP(MD)Nos.24662 and 24901 of 2016

8.S.Saidbai (deleted)

9.M.Sureshkumar (deleted)

... Petitioners

[P6 to P9 were deleted vide order dated 13.06.2019]

1.The Labour Officer,
K.Pudur,
Madurai, Madurai District.

2.A294, Madurai cum Ramnad District,
General Employees Co-Operative thrift and
Credit Society,
rep by its President,
No.36, Kennet Cross Road,
Ellis Nagar, Madurai – 10.

3.The Deputy Registrar of
Co-Operative Societies,
Madurai Circle,
Krishnarayar Theppakulam Street,
Madurai – 1.

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of certiorarified mandamus calling for the records pertaining to the impugned notice dated 09.12.2016 issued in Form -N by the 2nd respondent, quash the same and to forbear the respondents 2 and 3 from reducing the pay of the petitioners 2 to 9 in violation of the settlement under Section 12(3) of the ID Act dated 14.05.2013.



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WP(MD)Nos.24662 and 24901 of 2016

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for Mr.A.Rahul
For Respondent : Mr.S.Vinodh
No.1 Government Advocate
For Respondent : Mr.M.Ganesan for
No.2 Mr.T.Ravichandran
For Respondent : Mr.R.Baskaran
No.3 Additional Advocate General
assisted by
Mr.C.Venkateshkumar,
Special Government Pleader
ORDER

These writ petitions have been filed as against the notice issued under Section 9A of the Industrial Disputes Act. By the impugned notice the 2nd respondent has proposed to reduce the salary of the petitioners from Rs.40,000/- to Rs.16,000/-.

2.When these writ petitions have been taken up for hearing a preliminary objection has been raised on behalf of the respondents on the maintainability of the writ petitions. The learned counsel for the respondents submit that the petitioners have already raised an industrial dispute before the Labour Officer under Section 2(k) of the Industrial Disputes Act. The remedy according to the respondents, is only before the Labour Court and not before this court by filing the writ petition.



WP(MD)Nos.24662 and 24901 of 2016

3. Admittedly the petitioners have filed application under Section 2(k) of the ID Act before the Labour Officer. However, they are not aware of the subsequent proceedings of the Labour Officer. Therefore, this court has directed the learned Additional Advocate General to ascertain the status of the application filed under Section 2(k) of the ID Act before the Labour Officer. The learned Additional Advocate General submits that dispute has already been closed and the failure report was also sent to the appropriate government.

4. The learned counsel for the petitioners has expressed difficulty that the officer bearer had died and therefore, they are not in a position to follow up the matter.

5. Since it is reported that the petitioners have also invoked the provisions available under the Industrial Disputes Act and failure report has also been sent, these writ petitions are closed granting liberty to the petitioners to work out their remedy before the Labour Court in the dispute raised under Section 2(k) of the ID Act and the Labour Court concerned can entertain the petition, if any filed by the petitioners,



WP(MD)Nos.24662 and 24901 of 2016

without sticking to limitation, considering the pendency of these writ petitions. No costs. Consequently connected miscellaneous petitions are closed.

09.09.2025

Index : Yes / No

DSK

To

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- 2.A 294 Madurai cum Ramnad District,
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