



WP(MD)Nos.2046 to 2049 of 2017, 17146 of 2018 and 19106 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 23.10.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)Nos.2046 to 2049 of 2017,
17146 of 2018 and 19106 of 2018

W.P.(MD)No.2046 of 2017

E.Kannan

... Petitioner

versus

1. The Presiding Officer,
Labour Court,
Trichy,
(Dindigul Camp)

2. The Management of
Soundaraja Mills Limited,
S.R.Mills Road,
Dindigul – 3.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 1st respondent in I.D.No.132 of 2004 dated 29.04.2016 and to quash the same and consequently, direct the 2nd respondent to reinstate the petitioner with continuity of service and backwages.

For Petitioner : No appearance

For R1 : Labour Court

For R2 : M/s.K.Hema Karthikeyan



WP(MD)Nos.2046 to 2049 of 2017, 17146 of 2018 and 19106 of 2018

W.P.(MD)No.2047 of 2017

M.Balagurnathan

Petitioner(s)

versus

1. The Presiding Officer,
Labour Court,
Trichy,
(Dindigul Camp)
2. The Management of
Soundaraja Mills Limited,
S.R.Mills Road,
Dindigul – 3.

Respondent(s)

Writ Petition is filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 1st respondent in I.D.No.131 of 2004 dated 29.04.2016 and to quash the same and consequently, direct the 2nd respondent to reinstate the petitioner with continuity of service and backwages.

For Petitioner	: No appearance
For R1	: Labour Court
For R2	: M/s.K.Hema Karthikeyan

W.P.(MD)No.2048 of 2017

S.Krishnamoorthi

Petitioner(s)

versus



WP(MD)Nos.2046 to 2049 of 2017, 17146 of 2018 and 19106 of 2018

1. The Presiding Officer,
Labour Court,
Trichy,
(Dindigul Camp)
2. The Management of
Soundararaja Mills Limited,
S.R.Mills Road,
Dindigul – 3.

Respondent(s)

Writ Petition is filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 1st respondent in I.D.No.133 of 2004 dated 29.04.2016 and to quash the same and consequently, direct the 2nd respondent to reinstate the petitioner with continuity of service and backwages.

For Petitioner	: No appearance
For R1	: Labour Court
For R2	: M/s.K.Hema Karthikeyan

W.P.(MD)No.2049 of 2017

S.Murugan

Petitioner(s)

versus

1. The Presiding Officer,
Labour Court,
Trichy,
(Dindigul Camp)



WP(MD)Nos.2046 to 2049 of 2017, 17146 of 2018 and 19106 of 2018

2. The Management of
Soundararaja Mills Limited,
S.R.Mills Road,
Dindigul – 3.

Respondent(s)

Writ Petition is filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 1st respondent in I.D.No.7 of 2009 dated 19.05.2016 and to quash the same and consequently, direct the 2nd respondent to reinstate the petitioner with continuity of service and backwages.

For Petitioner	: No appearance
For R1	: Labour Court
For R2	: M/s.K.Hema Karthikeyan

W.P.(MD)No.17146 of 2018

A.Amala Joseph

Petitioner(s)

versus

The Management,
Soundaraja Mills Ltd.,
S.R.Mills Road,
Dindigul – 3.

Respondent(s)

Writ Petition is filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the Preliminary Award dated 19.02.2016 and final



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award dated 23.02.2017 passed by the Labour Court, Trichy, in I.D.No.68 of 2008, quash the same, and direct the 1st respondent to reinstate the petitioner in service with backwages and continuity of service with all other attendant benefits.

For Petitioner : No appearance

For Respondent : M/s.K.Hema Karthikeyan

W.P.(MD)No.19106 of 2018

The Secretary,
Kovai Jilla Panchalai Thozilalar Sangam,
(H.M.S) No.46/2, G.K.Complex,
V.M.R.Patti,
Dindigul – 3.

Petitioner(s)

versus

The Management,
Soundaraja Mills Ltd.,
Natham Road (S.R.Mills Road),
Dindigul – 3.

Respondent(s)

Writ Petition is filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorari, to call for the records pertaining to the Award dated 07.12.2017 passed by the Labour Court, Trichy, in I.D.No.9 of 2005 and quash the same.

For Petitioner : No appearance

For Respondent : M/s.K.Hema Karthikeyan



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COMMON ORDER

These writ petitions, which are of the year 2017 and 2018, are being listed for final hearing from the month of January 2025. The earlier proceedings would be relevant to be recorded as under:

08.01.2025

At request of the learned counsel for the petitioners, post on 28.01.2025.

28.01.2025

At request of the learned counsel for the petitioners, post on 17.02.2025.

19.02.2025

At request of the learned counsel for the petitioner, post on 02.04.2025 for filing translated copy of the impugned awards.

01.09.2025

The petitioners are employees of the Textile Mills. They have filed these writs petitions as against the award passed by the Labour Court, confirming the decisions of the Management.

2. When these writ petitions are taken up for hearing, the learned counsel for the Management submits that the Mill itself has been closed down in the year 2018. He further submits that for a similarly placed person, they gave a proposal for payment of Rs.50,000/- as compensation and



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agreed for entitlement of gratuity. He has also referred to an order dated 17.06.2025 passed by this Court in W.P.No.23747 of 2017 filed by a similarly placed employee.

3. The learned counsel for the petitioners/employees seeks a short accommodation for consulting with the clients with regard to the proposal made by the Management.

4. At the request of the learned counsel for the petitioners, post the matters finally on 09.09.2025.

09.09.2025

These writ petitions have been listed for final disposal from the month of January 2025. Adjournments have been sought for on behalf of the petitioners on 08.01.2025, 28.01.2025 and 19.02.2025. Thereafter, the case was listed on 01.09.2025 and this Court has passed the following order:-

“The petitioners are employees of the Textile Mills. They have filed these writs petitions as against the award passed by the Labour Court, confirming the decisions of the Management.

2. When these writ petitions are taken up for hearing, the learned counsel for the Management submits that the Mill itself has been closed down in the year 2018. He further submits that for a similarly placed person, they gave a proposal for payment of Rs.50,000/- as compensation and agreed for entitlement of gratuity. He has also referred to an order dated 17.06.2025 passed by this



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Court in W.P.No.23747 of 2017 filed by a similarly placed employee.

3. The learned counsel for the petitioners/employees seeks a short accommodation for consulting with the clients with regard to the proposal made by the Management.

4. At the request of the learned counsel for the petitioners, post the matters finally on 09.09.2025.”

3. Considering the request made on behalf of the petitioners, these petitions have posted today, i.e. 09.09.2025 as finally. However, today, when the matters are taken up for hearing, there is no representation for the petitioners. Post the matter on 10.09.2025, under the caption “For Dismissal”.

10.09.2025

At the request of the learned counsel on either side, post the matters on 17.09.2025.

17.09.2025

The petitioners before this Court are workmen in the second respondent Spinning Mill. According to the petitioners, they have not been permitted to work in the second respondent Spinning Mill for having established a Union.

2. The second respondent Spinning Mill claimed that out of six petitioners, three petitioners have given VRS and two petitioners have been transferred and one petitioner has



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been dismissed from service. The petitioners have raised an Industrial Dispute, however, the conciliation has failed and therefore, the matters have been referred to the Labour Court. The Labour Court rejected the Industrial Dispute that the petitioners have to establish that VRS is not a voluntary one and it has been obtained by coercion at the time of resignation of their services. As against the order of the Labour Court, the petitioners have filed these writ petitions before this Court in the year 2017.

3. This Court has admitted these writ petitions on 07.02.2017. Thereafter, the petitioners have not prosecuted these writ petitions properly. When these writ petitions were listed for hearing on 12.11.2024, there was no representation for the petitioners and therefore, the matters were directed to be listed on 14.11.2024. Thereafter, at the request of the learned counsel for the petitioners, the matters were adjourned to 28.11.2024. The proceedings of the Court dated 28.11.2024 has been extracted as under:

“The learned counsel appearing for the petitioners would submit that without considering the evidence of the petitioners, the 1st respondent passed the impugned order.

2. In such view of the matter, Registry is directed to call for records from the authorities concerned.”

Even thereafter, adjournments have been sought for on



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behalf of the petitioners on 08.01.2025, 28.01.2025 and 19.02.2025. Subsequently, these writ petitions were listed for hearing on 01.09.2025 and this Court has passed the following order:

“The petitioners are employees of the Textile Mills. They have filed these writs petitions as against the award passed by the Labour Court, confirming the decisions of the Management.

2. When these writ petitions are taken up for hearing, the learned counsel for the Management submits that the Mill itself has been closed down in the year 2018. He further submits that for a similarly placed person, they gave a proposal for payment of Rs.50,000/- as compensation and agreed for entitlement of gratuity. He has also referred to an order dated 17.06.2025 passed by this Court in W.P.No.23747 of 2017 filed by a similarly placed employee.

3. The learned counsel for the petitioners/employees seeks a short accommodation for consulting with the clients with regard to the proposal made by the Management.

4. At the request of the learned counsel for the petitioners, post the matters finally on 09.09.2025.”

On 09.09.2025, when these writ petitions were taken up



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for hearing, there was no representation for the petitioners. Therefore, these writ petitions were directed to be listed on 10.09.2025 under the caption “For Dismissal”. Even on 10.09.2025, at the request of the learned counsel for the petitioners, these writ petitions have been listed today for final disposal. Even today, the learned counsel for the petitioners is not ready.

4. On the previous hearing, the learned counsel appearing for the Management submitted that the second respondent Mill has been closed down. Therefore, the Management is willing to pay a sum of Rs.50,000/- towards compensation to all the petitioners/workmen. However, this Court was not inclined to accept the offer made by the Mill, considering the issue involved in these writ petitions.

5. Today, the learned counsel for the second respondent Mill submits that the second respondent Mill has now offered Rs.75,000/- as compensation. The learned counsel for the petitioners submits that they have also suggested the petitioners to accept the proposal made by the second respondent Mill, however, the petitioners have not accepted for the disposal.

6. In these writ petitions, the petitioners are having a good case. However, the learned counsel for the petitioners is not inclined to proceed with the case.

7. Since the learned counsel for the petitioners has not shown any interest to defend the case of the petitioners, this



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Court appoints learned counsel Mr.M.Ganesan as Legal Aid Counsel to assist this Court. The Registry is directed to furnish a copy of the typed set of papers to the Legal Aid Counsel.

8. Post the matter on 24.09.2025.

24.09.2025

Earlier Counsel for the petitioner undertakes to handover the bundle to the Legal Aid Counsel appointed by this Court.

At request of the Legal Aid Counsel for the petitioner, post on 10.10.2025.

10.10.2025

These writ petitions which are filed in the year 2017 and 2018 have not been contested by the petitioners. Therefore, this Court, after providing several opportunity, has appointed learned counsel Mr.M.Ganesan, having 11 years of experience in the labour law, as Legal Aid Counsel. The Legal Aid Counsel has also presented the case.

However, one of the petitioners has appeared before this Court and objected for the appearance of the Legal Aid Counsel and insisted for the appearance of their counsel.

For the appearance of the petitioners' counsel, post the matters finally on 17.10.2025.

17.10.2025

This writ petition has been filed in the year 2017. Since the petitioner's counsel has not shown any interest to conduct



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the case, this Court appointed Mr.M.Ganesan, learned counsel as Legal Aid Counsel.

When the matter was taken up for hearing on 10.10.2025, one of the petitioners has appeared before this Court and submitted that the case has to be conducted only by the counsel on record, however, counsel on record was not present. Therefore, for the appearance of the petitioner's counsel, case was adjourned today.

Today, neither the petitioner nor the counsel on record has appeared.

Therefore, list this case on 23.10.2025 under the caption "For Dismissal".

2. Despite the writ petitions being listed today under the caption "For Dismissal", there is no representation for the petitioners. Considering the attitude of the petitioners in proceeding with the writ petitions of the year 2017 and 2018, these writ petitions deserve to be dismissed.

3. Accordingly, these writ petitions are dismissed. No costs.

23.10.2025

NCC : Yes/No
Index : Yes/No
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B.PUGALENDHI,J.

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