



WP(MD)No.23212 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 01.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

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M.Pramanayagam
S/o.Nambiya Pillai,
Secretary,
Nellai, Chidambaranar, Kumari District
Government Transport Employees Union,
4-C, Peratchiamman Kovil Road,
3rd Floor, Vannarapettai,
Tirunelveli – 3.

... Petitioner

versus

1. M.Balakrishnasamy
2. P.Selvagomathi Kumar
3. S.Rajendran
4. The Presiding Officer,
Labour Court,
Tirunelveli.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the order passed in E.P.No.5 of 2017 dated 04.07.2017 by the 4th respondent and quash the same and consequently, direct the 4th respondent to implement the prayer in E.P.No.5 of 2017 on the file of the 4th



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respondent.

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For Petitioner : Mr.K.Guhan
For R1 to R3 : Mr.K.Sathiya Singh
For R4 : Mr.C.Venkatesh Kumar,
Special Government Pleader

ORDER

The petitioner representing the Union has filed an Execution Petition before the Labour Court, Tirunelveli, under Sections 11(b), 11(8), 11(9) of the Industrial Disputes Act 1947, read with Order 21 Rules 37 and 38 CPC, in E.P.No.5 of 2017 that the Management has failed to implement the clause No.xviii of the settlement arrived at between the parties under Section 12(3) of the Industrial Disputes Act, dated 31.08.2025. The Labour Court, by its order dated 04.07.2017, rejected the said petition by following the ratio laid down by the Division Bench of this Court in W.P.(MD)No.17180 of 2016, dated 12.09.2016 that this type of issue can be sued only by raising an Industrial Dispute and also holding that the petitioner Union is not a signatory to the settlement arrived at between the parties under Section 12(3) of the Act.



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2. In view of the ratio laid down by the Division Bench of this Court in W.P.(MD)No.17180 of 2016, dated 12.09.2016, this Court is not inclined to interfere with the order of the Labour Court, Tirunelveli, in E.P.No.5 of 2017, dated 04.07.2017.

3. Accordingly, this writ petition is dismissed. No costs.

01.09.2025

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