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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-11-2026

CORAM

THE HON'BLE MR JUSTICE C. SARAVANAN

Case QR

W.P Nos. 3320 and 4747 of 2023
and
W.M.P. Nos. 3377, 3379, 4751 and 4752 of 2023
CNR: {HCMA010127332023}

W.P.No. 3320 of 2023

M. Anandan
S/o. Muthu,
No.13, Illupai Thoppu Street, Veema Nagar,
Thilaspet, Puducherry.

..Petitioner(s)

Vs

The Managing Director,
M/s.Puducherry Agre Service and Industries
Corporation Limited (PASIC), Agro House
Thattanchavady, Puducherry.

..Respondent(s)

Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the records in I.D. (L) No.30/2017, CNR.No.PYPY06-000037-2017 dated 28.11.2022 on the file of the learned Industrial Tribunal Cum Labour Court, Puducherry and quash the same and consequently direct the respondent to reinstate the petitioner in his service and to pay all attendant benefits to the petitioner.

For Petitioner(s): Mr. S. Vedhavel
for Mr. P. Venketesan

For Respondent(s): Mr. R. Sreedhar,
Additional Government Pleader (Puducherry)

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W.P.No. 4747 of 2023

1.P. Annadassane,
The President,
PASIC Workers Union,
No.7-8, Moovendar Street,
Mullai Nagar, Orleanpet,
Puducherry.

2.D. Tille Govindane,
The Secretary,
PASIC Workers Union,
No.7-8, Moovendar Street,
Mullai Nagar, Orleanpet,
Puducherry.

..Petitioner(s)

Vs

The Managing Director,
M/s.Puducherry Agre Service and Industries
Corporation Limited (PASIC), Agro House
Thattanchavady, Puducherry.

..Respondent(s)

Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the records in I.D. (L) No.25/2017, CNR.No.PYPY06-000102-2017 dated 28.11.2022 on the file of the learned Industrial Tribunal Cum Labour Court, Puducherry and quash the same and consequently direct the respondent to reinstate the petitioner in his service and to pay all attendant benefits to the petitioner.

For Petitioner(s): Mr. S. Vedhavel
for Mr. P. Venketesan

For Respondent(s): Mr. R. Sreedhar,
Additional Government Pleader (Puducherry)

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COMMON ORDER

By this common order, both the writ petitions are being disposed of.

2. In W.P. No. 3220 of 2023, the sole petitioner has challenged the impugned award passed by the Labour Court in I.D. (L) No.30/2017, bearing CNR.No.PYPY06-000037-2017 dated 28.11.2022, on the file of the learned Industrial Tribunal-Cum-Labour Court, Puducherry.

3. In W.P.No.4747 of 2023, the two petitioners have challenged the similar award passed in I.D. (L) No.25/2017 bearing CNR.No.PYPY06-000102-2017, dated 28.11.2022, on the file of the learned Industrial Tribunal-Cum-Labour Court, Puducherry.

4. By the impugned awards, the industrial disputes raised by the respective petitioners in these two writ petitions under Section 2(k) r/w Section 10 of the Industrial Disputes Act, pursuant to the references made by the Government of Puducherry, vide G.O.Rt.No.74/AIL/LAB/T/2017 and G.O.Rt.No.63/AIL/LAB/T/2017, dated 02.05.2017 and 27.04.2017, respectively have been rejected. These petitioners were employed by the respondent as voucher paid employees and were subsequently engaged as daily rated employees. The petitioners have abstained from reporting for duty on 10.05.2014, 16.07.2014 and 19.07.2014. Since these petitioners were not permanent employees of the respondent, they were not reinstated.

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5. It is the case of the respective petitioners that they had not abandoned their duties and therefore, the respondent was not justified in refusing to take them back, as they were not permanent employees. That apart, it is submitted that the petitioners were not employed in accordance with the provisions of the PASIC Staff Service Rules. Neither their services were sanctioned under the aforesaid Rules nor any appointment orders were issued to them.

6. It is noticed that the Labour Court has framed vague issues, which reads as follows, in the respective writ petitions:

Sl.No.	Writ Petition Nos.	Issues
1.	W.P.No.3320/2023	a) Whether the dispute raised by the Petitioner Thiru. M. Anandan against the Management of M/s. Puducherry Agro Service and Industries Corporation Limited (a Government of Puducherry undertaking), Puducherry over reinstatement with back wages is justified or not? If justified, what relief the petitioner is entitled to? b) To compute the relief, if any, awarded in terms of money, if it can be so computed?
2.	W.P.No.4747/2023	a) Whether the dispute raised by the PASIC Workers Union against the Management of M/s. Puducherry Agro Service and Industries Corporation Limited (PASIC), Puduchery over re-instatement of Thiru. P. Annadassane and Thiru. D. Tillegovindane with back wages is justified or not? If justified, what relief the Petitioner is entitled to? b) To compute the relief, if any, awarded in terms of money, if it can be so computed?

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7. The Labour Court ought to have framed the proper issues as to the basis on which each of the petitioners were claiming the right to continue as an employee of the respondent and thereafter framed the above issues.

8. On a specific query as to the basis on which the respective petitioners were employed, the learned counsel for the respondent is unable to substantiate the same. On a perusal of the impugned orders, as well as the pleadings filed before the Labour Court, the same is not revealed. Fundamentally, the issue that ought to have been considered was the basis on which, the daily-rated employees could claim the right to continue in service despite their purported absence from duty on the dates mentioned above. This should have been examined on the strength of the applicable provisions of the Standing Orders or the rules governing the employment of the petitioners by the respondent.

9. Since this aspect has not been examined by the Labour Court, I am left with no other option except to quash the impugned orders and remit the cases back to the Labour Court to pass fresh orders in view of the respective impugned orders. This exercise shall be completed within a period of six months from the date of receipt of a copy of this order.

10. Needless to state, the respective petitioners as well as the respondent shall be heard before final orders are passed.

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11. With the above directions, these Writ Petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

03-11-2026

Neutral Citation: Yes/No
AT

To
1.The Managing Director,
M/s.Puducherry Agre Service and Industries Corporation Limited (PASIC),
Agro House Thattanchavady, Puducherry.

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C.SARAVANAN, J.

AT

W.P Nos. 3320 and 4747 of 2023 and
W.M.P. Nos. 3377, 3379, 4751 and 4752 of 2023

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