



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**WP No. 6722 of 2026
and W.M.P.No.7301 of 2026**

M/s. MRF Limited,
Represented by its Plant Head,
Mr. Jose Alphonse,
Eripakkam, Nettapakkam Commune,
Puducherry - 605 106.

..Petitioner

Vs

1. The Appellate Authority,
Industrial Employment (Standing Order) Act, 1946,
The Presiding Officer,
Industrial Tribunal Cum Labour Court,
Puducherry.
2. Puducherry MRF Employees Union,
(Reg. No.1621/RTU/2010),
No.5C, Vellalar Street, Puducherry-605 001.
3. MRF Thozhilalargal Sangam,
(Reg. No.1278/RTU/2001)
MRF Ltd., Eripakkam Village,
Nettapakkam,
Puducherry-605 106.
4. MRF Employees Union,
(Reg. No.1287/RTU/2002,
No.6/2, Indira Gandhi Street,
Nainarmandabam,
Puducherry-605 004.
5. Dr. Kalaighner Puducherry MRF
Thozhilalargal Munnetra Sangam,
(Reg. No.1592/RTU/2009)
No.19, Kodisamy Nagar,
Nettapakkam, Puducherry-605 106.



6. MRF. Thozhilalar Viduthalai Munnani
(Reg. No.1669/RTU/2011),
MRF Ltd., Eripakkam Village,
Nettapakkam, Puducherry-605 106.
7. MRF Anna Thozhirsanga Peravai,
(Reg. No.1733/RTU/2013),
Eripakkam Village,
Nettapakkam Post,
Puducherry-605 106.
8. MRF Pattali Thozir Sangam,
(Reg. No.1735/RTU/2013),
MRF Ltd., Eripakkam Village,
Nettapakkam, Puducherry-605 106.
9. Puducherry MRF Barathiya Thozhilalargal Sangam,
(Reg. No.1891/RTU/2021),
No.22, Sri Velmurugan Nagar,
Ammapettai, Nettapakkam,
Puducherry - 605 106.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorarified Mandamus, calling for the records of the first respondent in File No.SOA No.63 of 2025 culminating in the impugned Return Memo dated 23.01.2026 and quash the same and direct the first respondent to decide the appeal without insisting the Certifying Officer as a party to the appeal.

For Petitioner: Mr.M.Vijayan for Ms.Bensi Rema
for M/s.King And Partridge

For Respondents: Mr.V.Subramani for R2

Mr.V.Prakash, Senior Counsel assisted by
Mr.S.Gokul for R3



ORDER

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The writ petition is filed for a writ of Certiorarified Mandamus calling for the records on the file of the first respondent, namely the Appellate Authority – Industrial Employment (Standing Orders) Act, 1946/Presiding Officer, Industrial Tribunal-cum-Labour Court, Puducherry, vide return memo dated 23.01.2026 in File No.SOA 63 of 2025.

2. When the matter came up for admission, the learned counsel appearing on behalf of the petitioner would submit that the appeal has been filed under the Industrial Employment Standing Orders Act, 1946. While so, the appeal has been repeatedly returned on the ground that the authority certifying the Standing Orders should also be made as a party. For the earlier returns, when the compliance was endorsed by stating that he is not a necessary party, repeatedly on the same ground the matter is returned. Therefore, the learned counsel would submit that even though it is a return, the petitioner is constrained to approach this Court.

3.The learned counsel appearing on behalf of the second respondent would submit that in the event the appeal is taken on file, a direction may be given to dispose of the same at the earliest, as the matter is pending for long.



4. The learned counsel appearing on behalf of the third respondent would submit that though the matrix of return and representation is as such, in the event the appeal is taken on file, the same shall be disposed of at an early date.

5. Upon perusal of the nature of the appeal, the issue is with reference to the age of retirement. The same is an issue between the management and the trade union. As far as the presence of certifying authority is concerned, if any information with reference to the process of certification is necessary, the authority can always be summoned as a witness by either of the parties or even in their failure by the Court and therefore I am of the view that the certifying authority is not a necessary party to that extent.

6. The return of the trial Court shall stand overruled and if the appeal is represented within one week along with the web copy of this order, without waiting for the certified copy of the order, the same shall be taken as represented within time and if the appeal is otherwise in order in all other respects, the same shall be taken on file. The appeal, once taken on file, shall be disposed of as expeditiously as possible, in any event not later than five months from the date of appeal taken on file.



7. With the above directions, the writ petition stands disposed of.

Consequently, connected miscellaneous petition is also closed. No costs.

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Neutral Citation: Yes/No
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Note: Registry is directed to return the original return memo dated 23.01.2026 in File No.SOA 63 of 2025.

To

The Appellate Authority,
Industrial Employment (Standing Order) Act, 1946,
The Presiding Officer,
Industrial Tribunal Cum Labour Court,
Puducherry.



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D.BHARATHA CHAKRAVARTHY, J.

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