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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-11-2026

CORAM

THE HON'BLE MR JUSTICE C. SARAVANAN

WMP No. 47513 of 2025
in WP No. 22454 of 2013

1. V.Madanasundari
   W/o.V.Varadarajan, 14A, Senthil Rail Nagar
   6th Street, Urapakkam, Chennai-603 210

2. P.Revathi
   W/o.K.G.Meenakshisundaram, 14, Senthil Rail
   Nagar 6th Street, Urapakkam, Chennai-603 210

..Petitioner(s)

Vs

1. The Madras Race Club
   Rep. By Its Secretary, Guindy, Chennai-32

2. The Presiding Officer
   Principle Labour Court, Chennai-104

..Respondent(s)

PRAYER: To condone the delay of 1981 days in filing application for restoration of WP.No. 22454 of 2013.

For Petitioner(s): Mr.K.M.Ramesh, Sr counsel
for Mr.V.Subramani

For Respondent(s): Mr.T.Balaji for R1

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ORDER

The petitioners in the main writ petition have challenged the order dated 12.02.2013 passed by the Principal Labour Court, Chennai, which dismissed their computation petition filed under Section 33C(2) read with Section 33C(5) of the Industrial Disputes Act, 1947.

2. An affidavit filed in support of this writ miscellaneous petition reads as under:

> ***"3. I submit that in the above Writ Petition was filed through Mr.S.Vaidyanathan, Advocate who was subsequently elevated as Judge of this Hon'ble Court along with his juniors M/s.V.T.Arun Thomas and M.Hemalatha, Advocate. Even though Mr.S.Vaidyanathan was elevated as Judge of this Hon'ble Court, I did not collect the case bundle from his office for a long time and only during October, 2019 I collected the papers from one of his juniors and handed over the case bundle and change of vakalath was filed on 14.10.2019. Thereafter, I was hoping against hope that the above Writ Petition would be listed for hearing. During last week when I had been to my counsel's office to enquire about the status of my case, my counsel casually checked the case status in the Web site of this Hon'ble Court, and found that the above writ petition was dismissed for default as early as on 15.10.2019 itself. My counsel immediately checked the cause list of 17.09.2019, 18.09.2019, 03.10.2019 and found that the name of the juniors of my previous counsel M/s. V.T.Arun Thomas and M.Hemalatha was printed and that there was no representation on my side.***

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Likewise, after my counsel filed change of vakalath on 13.10.2019, instead of printing the new counsel name, the names of the previous counsel was printed and hence there was no representation on my side even on 15.10.2019 on which date the above Writ Petition was dismissed for default. I submit that the reason for non-representation on the side of the Petitioners on 15.10.2019 when the above Writ Petition was listed for hearing is that the name of my counsel had not been printed in the cause list."

3. Though learned counsel for the first respondent vehemently opposed the prayer, stating that there is an inordinate delay of 1981 days in filing this application for restoration, I am satisfied with the reasons given and note that no prejudice has been caused to the respondent thus far.

4. Being satisfied with the reasons stated in the affidavit filed in support of this petition, this petition is ordered as prayed for.

5. Consequently, W.P.No.22454 of 2013 is restored to its original file.

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Note: The Registry is directed to number the restoration petition which was ordered today and list the main writ petition on 16.12.2026 "for final disposal".

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C.SARAVANAN, J.

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