



WEB COPY

W.P No.19891 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-06-2026

CORAM:

THE HONOURABLE MR.JUSTICE K.SURENDER

**W.P.No.19891 of 2026
and
WMP Nos.21227 and 21228 of 2026**

M/s.Woosu Automotive India Pvt. Ltd.,
Rep. by its Authorized Signatory,
Mr.Arun Kumar,
No.130, Narasingapuram Village,
Perambakkam Post, Tiruvallur - 631 402.

.. Petitioner

Vs.

A.Sivakumar

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, calling for the records of the impugned orders dated 06.04.2026 in I.D.No.174/2015, passed by the II Additional Labour Court, at Chennai and quash the same.

For Petitioner: Mr.R.Ganesan

For Respondents: Mr.M.Gokul Prasanth

ORDER

This Writ Petition had been filed challenging the order dated 06.04.2026 in I.D.No.174 of 2015 passed by the II Additional Labour Court, Chennai.



2. The brief facts of the case are that the respondent, though was designated as Trainee, was engaged by the petitioner in the Quality Control Department without any training and they were directly involved in the manufacturing process. However, there is no dispute that the respondent falls within the definition of Workman under Section 2(s) of the Industrial Disputes Act, 1947. The respondent herein filed I.D.No.174 of 2015, seeking the relief of reinstatement along with full back wages, continuity in service and all other attendant benefits. During the course of I.D. proceedings before the Labour Court, there were totally 59 cases filed by the workers similar to the respondent herein, challenging their termination. The Labour Court concluded the proceedings, and orders were passed directing to set aside the order of dismissal of the respondent, granting continuity of service, and all other attendant benefits.

3. The learned counsel for the petitioner / Management submits that the Labour Court failed to provide any opportunity to the Management to adduce evidence. In the absence of such opportunity being given or in the event of one of the parties to the *lis* being absent, the procedure as contemplated under order XVII of C.P.C., has to be followed. The learned counsel further submits that if at all the Management has failed to adduce any evidence, ex-parte orders ought



to have been passed, however, the Court had passed order on merits which is contrary to Order XVII Rules 2 and 3 of C.P.C. The learned counsel therefore submits that for the reason of not granting any opportunity to the Management to adduce evidence, the order passed by the Labour Court has to be set aside and the matter should be remitted back to the Labour Court for the limited purpose of granting opportunity to the Management to adduce evidence.

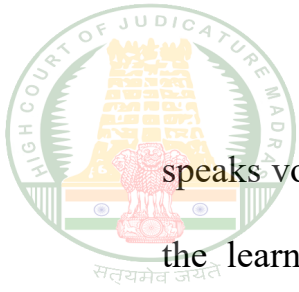
4. Mr.M.Gokul Prasanth, learned counsel who takes notice for respondent/workman submits that the Labour Court has granted ample opportunity to the Management, but the Management failed to adduce evidence, and as such, the case was protracted for nearly 10 years. Having granted several opportunities to the Management, the Labour Court had thought it proper to dispose of the case on merits on 06.04.2026. Hence, there is no scope for the Management to seek remand of the case.

5. Heard the learned counsel on either side and perused the materials available on record.

6. By consent, the writ petition is taken up for final disposal at the admission stage itself.



7. On a perusal of the records, it is seen that the Labour Court had directed the Management to let in evidence to prove the charges levelled against the respondent. During the course of the proceedings before the Labour Court, the petitioner / Management filed several writ petitions and obtained order of stay of the proceedings of the Labour Court. Finally, all the writ petitions were dismissed, directing the Management to let in evidence. After the writ petitions were disposed of, several adjournments were granted by the Labour Court, enabling the Management to adduce evidence. However, the Management failed to adduce evidence and the evidence was closed. The matter was thereafter adjourned for arguments. After three adjournments, on 16.02.2026, the learned counsel for the workman had argued the case. Again on 18.02.2026, an application was filed by the Management to reopen the evidence of the Management. The said petition to reopen the evidence on behalf of the Management was supposed to have been filed in all 59 similar cases which were pending before the Labour Court. The learned Labour Court Judge, after going through the facts of the case and keeping in view the long pendency and that the Management approached the High Court by filing Writ Petitions, wherein the High Court directed the Management to adduce evidence, but they failed to do so, deemed it proper to reject the application of the Management to adduce evidence. The refusal of the Labour Court, dismissing the application to reopen the evidence of the Management, is also extracted in the impugned order, which



speaks volumes of the conduct of the Management. Hence the ground urged by the learned counsel for the Management that no opportunity was given to adduce evidence, cannot be accepted. The only ground on which the counsel seeks to set aside the impugned order is that the Management was not given any opportunity to adduce evidence.



8. As already discussed above, the said argument is incorrect and several opportunities were in fact granted by the Labour Court to the Management to adduce evidence. I.D. case was filed in the year 2015. Having attended the case from the beginning and also approaching this Court by way of filing writ petitions, the claim of the petitioner that no opportunity was given for examination of witnesses or recording any evidence on behalf of the Management by the petitioner, is deliberate, palpably wrong and it is only for the purpose of protracting the case.

9. The case has been pending in the Labour Court for a period of 11 years. This Court under Article 226 of the Constitution of India, can only interfere if there are any violations of the Principles of Natural Justice or if any orders are passed contrary to any law. No such grounds are made out to interfere with the impugned order.

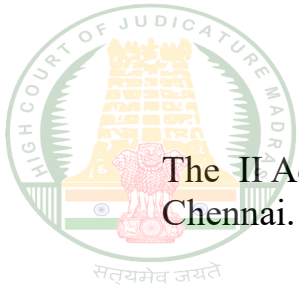
10. Accordingly the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

(K. SURENDER, J)
08-06-2026

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To

6/8



The II Additional Labour Court,
Chennai.

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K.SURENDER J

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