



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

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THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE K.SURENDER

W.A.No.2508 of 2025 AND
C.M.P.NO.19488 OF 2025

The Management
K.K.123, Irudhukottai Primary Agricultural, Co-
operative Credit Society, Ltd., Rep. by its
Special Officer, Irudhukottai, Thenkanikottai,
Krishnagiri District.

..Appellant

Vs

1. The Presiding Officer
Labour Court, Salem.

2. G.Vijayakumar

..Respondents

Prayer: To allow the WA and set aside the Order dated 12.03.2025 in
Review Application No. 40 of 2015 in WP No. 21443 of 2009 on the file
of this Honble Court.

For Appellant: Mr.M.S.Palaniswamy

For Respondent(s): Mr.S.V.Navin Prabhu for R2
R1 - Labour Court

J U D G M E N T

(Judgment of the Court was delivered by S.M.Subramaniam J.)

The present Intra Court Appeal under Clause 15 of the Letters
Patent has been instituted to assail the order dated 12.03.2025 passed
in the Review Application in Rev.A.No.40 of 2015.



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2. The Management, Irudhukottai Primary Agricultural Co-operative Credit Society Ltd., is the appellant. The 2nd respondent was an employee of the Appellant and dismissed from service after conducting departmental disciplinary proceedings based on the conviction of the Criminal Court. He filed a Claim Petition in C.P.No.100 of 2008 before Labour Court, Salem and the said Claim Petition was allowed by Labour Court on 08.07.2009. The Management / Appellant herein filed W.P.No.21443 of 2009 against the order dated 08.07.2009 and the said Writ Petition was dismissed by learned Single Judge vide order dated 09.08.2011. Challenging the Writ Order, the Management filed W.A.No.2294 of 2012 and before the Division Bench, the Management made a submission that they may be permitted to withdraw the Writ Appeal, enabling them to file Review Application. Considering the said submission, Division Bench, by order dated 07.11.2012 granted liberty to the petitioner to file Review Application. Consequently, the Management filed Review Application No.40 of 2015 before learned Single Judge and the said Review Application came to be dismissed on 12.03.2025. The said order is taken by way of the present Writ Appeal.



3. Mr.S.V.Navin Prabhu, learned counsel for R2 has raised preliminary issue regarding maintainability of the Intra Court Appeal on the ground that the order passed in the writ petition has become final and review order alone cannot be challenged in the Writ Appeal.

4. Mr.M.S.Palaniswamy, learned counsel for the Management / Appellant herein has no clear answer to address the maintainability issue raised by the 2nd respondent. Even presuming that writ appeal is allowed, then also the writ petition order will be in force. Since Writ Court dismissed the petition filed by the Management, the present Writ Appeal cannot be entertained. That apart, the order passed in the review application in the present case is not maintainable in view of the fact that the writ petition filed by the Management itself was dismissed by learned Single.

For the above reasons, the present Writ Appeal is dismissed as not maintainable. No costs. Consequently, connected Miscellaneous Petition is closed.

(S.M.S.,J.) (K.S.,J.)
11-03-2026

Index: Yes
Speaking order
Neutral Citation: Yes/No
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S.M.SUBRAMANIAM J.
AND
K.SURENDER J.
AR

To:

The Presiding Officer
Labour Court,
Salem.

W.A.No.2508 of 2025

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