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W.P.No.32805 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 23-02-2026**

CORAM

**THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

**W.P.No.32805 of 2024 and  
W.M.P.No.35636 of 2024**

A.N.Rameshbabu  
S/o.Narayanasamy,  
No.36, Main Road,  
Kamarajar Nagar,  
Avadi, Chennai-600 071.

Petitioner

Vs

1. The Tahsildar  
Tahsildar Office, Avadi,  
Chennai-600 071.

2.The Deputy Commissioner of Labour,  
Teynampet, Chennai-600 006.

3.Raman,  
S/o.Munusamy,  
No.35B, Vivekanda Street,  
Thindivanam, Villupuram District.

Respondents

**PRAYER:**

Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records of the 1<sup>st</sup> respondent dated 18.10.2024 in Na. Ka. No.179/2024/A4 and quash the same as illegal and binding on the petitioner

For Petitioner

Mr.P.Balamurugan

For Respondents

Mr.A.M.Ayyadurai, GA for R1



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and R2  
Mr.A.Illangovan, for R3

### **ORDER**

This Writ Petition is filed for a Writ of Certiorari, calling for the records on the file of the first respondent dated 18.10.2024 in Na.Ka.No.179/2024/A4 and to quash the same as illegal.

2. The factual background in which the writ petition arises is that that the third respondent herein, namely, Raman, claiming to be a workman under the petitioner, filed W.C.C.No.169 of 2000 before the Deputy Commissioner of Labour-II, Chennai, and an award was passed on 10.10.2001. The award directed that compensation of Rs.2,63,940/- be paid to the workman within a period of 30 days and if the amount was not paid, the same should be paid with further interest at the rate of 12% p.a. The workman had not seen the colour of the coin, even though we are now in the year 2026. When further proceedings under the Revenue Recovery Act had taken place, the petitioner earlier filed W.P.No.13846 of 2024 which was allowed by directing the authorities to issue fresh proceedings in the proper Form-I as the earlier order was not passed in the prescribed Form. Thereafter, the present order is passed.

3. The learned counsel for the petitioner would contend that now from the entire documents that are filed by the respondent-workman, the petitioner has



now come to know that his signature had been forged in the earlier affidavit, which is filed to condone the delay, set aside the exparte, etc., and that he never participated in the proceedings and had no knowledge about the proceedings at all. The learned counsel would also submit that the petitioner has deposited the entire amount. The said argument is countered by the learned counsel appearing on behalf of the workman, by relying upon voluminous documents to show that on every occasion, on the very same address, notice was served and even when the workman had filed the earlier writ petition in W.P.No.34121 of 2012, notice was served on this petitioner A.N.Ramesh Babu and the said fact is recorded in the order itself as “notice served” and “no appearance”. Therefore, inspite of knowledge, he kept quite all along and now when recovery proceedings are taken as per law, now he is complaining as if the award itself is passed behind his back without his participation etc. According to the workman, the entire allegations are false.

4. The prayer in this writ petition is only with reference to the quashing of the recovery proceedings. So long as the award passed is final, then the recovery proceedings are bound to take place. In this regard, now it is seen that the entire amount, being the principal and the accrued interest amount, in all totalling to a sum of Rs.10,43,000/- has been deposited before the second respondent, namely, the Deputy Commissioner of Labour-II, Teynampet, Chennai, to the credit of W.C.C.No.169 of 2000. The learned counsel for the petitioner seeks an



opportunity to assail the award. In this regard, it is the case of the petitioner that the petitioner never participated in the proceedings at all and as a matter of fact, his signatures were all forged. However, this stand is now being taken up for the first time before this Court. In any event, the petitioner wants to assail the award on the ground of forgery or impersonation, it has to be taken before the original authority before whom this order has been passed.

5. In view thereof, an opportunity can be granted to the petitioner to take such a plea. The petitioner is at liberty to file an application to set aside the award on such plea. The workman can raise all the defences including the fact that the petitioner knew about the proceedings and service of notice etc., before the authorities. It is for the authority to consider the factual correctness or otherwise. If only the authority is convinced that a forgery or impersonation has been there, the matter can be reopened otherwise the application can be dismissed. In the meanwhile, the workman shall be permitted to withdraw 50% of the amount deposited and the balance 50% shall be permitted to be withdrawn, if the application is held against the petitioner namely A.N. Ramesh Babu. On the other hand, if the case is reopened, then the matter shall be considered on merits and further orders will be passed depending upon the outcome. The application shall be filed within a period of 2 weeks, from the date of receipt of the web copy of the order and the enquiry in the said application shall be completed within a period of 3 months therefrom.



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6. In view thereof, this writ petition is disposed of on the following terms:

(i) Out of the sum of Rs.10,43,000/- deposited to the credit of W.C.C.No.169 of 2000, upon production of a web copy of this order, without waiting for the certified copy of this order, the second respondent authority can permit the 3<sup>rd</sup> respondent/workman to withdraw 50% of the amount, along with accrued interest, if any.

(ii) Within a period of two weeks, from the date of receipt of a web copy of this order, it will be open for the petitioner to file an application to set aside the award dated 10.10.2001, by categorically making averments that signatures found in the proceedings are not his and that also he never appeared before the authority and that he did not know about the proceedings and it will be open for the workman to counter that the petitioner is in the knowledge of the proceedings and that the averments are false. If only the second respondent comes to the positive conclusion about the impersonation/forgery of the signature, the award can be set aside and the matter re-opened. The enquiry in the said application shall be completed within a period of 3 months from the date of filing of the application.

(iii) If the authority holds in favour of the workman and rejects the claim of the management, then the balance amount, which is lying to the credit, shall also be permitted to be withdrawn by the workman. On the other hand, if the authority holds that the earlier signature does not belong to the petitioner,



Ramesh Babu and he succeeds in convincing the authority that the award was passed without his participation, then the matter will be reopened and will be decided afresh on merits and in accordance with law. Depending upon the final award so passed, the balance amount of 50% will be disposed of.

(iv)It is made clear that if the deposit is made before the Joint Commissioner and not to the credit of W.C.No.169 of 2000, even then the concerned Joint Commissioner shall permit the petitioner to withdraw the 50% of the amount as stated above and the balance amount shall be permitted depending upon the outcome of the proceedings as indicated above. No costs. Consequently, connected Miscellaneous Petition is closed.

**23-02-2026**

Neutral Citation:Yes/No  
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To

1.The Tahsildar  
Tahsildar Office, Avadi, Chennai-600  
071.

2.The Deputy Commissioner Of Labour  
Teynampet, Chennai-600 006.

3.Raman  
S/o.Munusamy, No.35b, Vivekanda  
Street, Thindivanam, Villupuram  
District.



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**D.BHARATHA CHAKRAVARTHY, J.**

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