



WEB COPY



C.R.P.No.4295 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**C.R.P.No.4295 of 2022
And
C.M.P.No.22560 of 2022**

The Management,
The Tamil Nadu State Transport Corporation (VPM) Ltd.,
Villupuram,
Rep. by its General Manager ... Petitioner

Vs.

S.Gnanakeswaran ... Respondent

Prayer:

Petition filed under Article 227 of the Constitution of India praying to set aside the order passed in E.P.No.05 of 2021 vide order dated 20.05.2022 in C.P.No.83/1999 on the file of Labour Court, Cuddalore.

For Petitioner : Mrs.S.Pavithra
For Respondent : Mr.A.Mohd Ismail

ORDER

The petitioner has filed this civil revision petition praying to set aside the order passed in E.P.No.05 of 2021 vide order dated 20.05.2022 in C.P.No.83/1999 on the file of Labour Court, Cuddalore.



C.R.P.No.4295 of 2022

2.The learned counsel appearing for the petitioner submitted that the respondent was dismissed from service on 17.01.1994 and challenging the dismissal order, the respondent raised industrial dispute in I.D.No.95 of 1995 and the same was allowed on 22.12.1998 and challenging the same, the petitioner filed W.P.No.11119 of 1999 and vide order dated 23.08.1999 made in W.M.P.No.15730 of 1999 in W.P.No.11119 of 1999, this Court directed the petitioner to deposit a sum of Rs.1,74,000/-, pursuant to which, the petitioner deposited the said amount on 28.10.1999 and without observing anything about the deposit amount, W.P.No.11119 of 1999 was dismissed on 18.07.2008. Thereafter, the respondent filed C.P.No.83 of 1999 and the Labour Court vide order dated 30.09.2010 directed the petitioner to pay a sum of Rs.2,66,535/- as backwages for the period from 17.01.1994 to 30.06.1999 and other benefits. The respondent was reinstated in service on 27.05.2011.

3.The learned counsel appearing for the petitioner further submitted that the respondent filed another C.P.No.07 of 2014 to compute backwages for the period from 17.01.1994 to 18.05.2011 and exparte order was passed on 03.07.2014 by the Labour Court and challenging the said order, the petitioner filed W.P.No.31362 of 2014



C.R.P.No.4295 of 2022

and this Court vide order dated 01.12.2014 made in W.M.P.No.2 of 2014 in W.P.No.31362 of 2014 directed the petitioner to deposit a sum of Rs.6 Lakhs, pursuant to which, the petitioner deposited the said amount and thereafter, the said writ petition was allowed on 15.04.2016. However, the respondent filed execution proceedings in E.P.No.05 of 2021 in C.P.No.83 of 1999 and the same was allowed by the Labour Court.

4.The learned counsel appearing for the petitioner further submitted that already the petitioner has deposited a sum of Rs.1,74,000/-, pursuant to the order of this Court dated 23.08.1999 in W.M.P.No.15730 of 1999 in W.P.No.11119 of 1999 and suppressing the same, the respondent filed C.P.No.83 of 1999 and obtained order against the petitioner and again the respondent filed C.P.No.07 of 2014 and the same was rejected and suppressing the same, filed E.P.No.05 of 2021 in C.P.No.83 of 1999 and obtained order, which is not sustainable one.

5.The learned counsel appearing for the respondent submitted that inadvertently, the respondent employee not stated with regard to the order of this Court in W.M.P.No.15730 of 1999 in



C.R.P.No.4295 of 2022

W.P.No.11119 of 1999 while filing petition under Section 33(C)(2) of Industrial Disputes Act claiming backwages for the period from July, 1993 to June, 1999 in C.P.No.83 of 1999 and the Labour Court vide order dated 30.09.2010 directed the petitioner to pay a sum of Rs.2,66,535/- and the said amount was not disbursed to the respondent and hence, the respondent filed execution petition, thereby the impugned order was passed by the Labour Court.

6.Heard the arguments advanced on either side and perused the materials available on record.

7.It is not in dispute that the respondent was dismissed from service on 17.01.1994 and challenging the dismissal order, the respondent raised industrial dispute in I.D.No.95 of 1995 and the same was allowed on 22.12.1998 and challenging the same, the petitioner filed W.P.No.11119 of 1999 and vide order dated 23.08.1999 made in W.M.P.No.15730 of 1999 in W.P.No.11119 of 1999, this Court directed the petitioner to deposit a sum of Rs.1,74,000/-, pursuant to which, the petitioner deposited the said amount on 28.10.1999. The said amount is in lieu of backwages for the period from 1993 to 1999. Subsequently, W.P.No.11119 of 1999



C.R.P.No.4295 of 2022

was dismissed on 18.07.2008. Thereafter, the respondent filed C.P.No.83 of 1999, however, the respondent deliberately not disclosed about the order of this Court dated 23.08.1999 in W.M.P.No.15730 of 1999 in W.P.No.11119 of 1999 and claimed backwages for the period from 1993 to 1999, which was already deposited pursuant to the direction of this Court in W.M.P.No.15730 of 1999. Apart from that the respondent also filed C.P.No.07 of 2014 and the same was disposed of rejecting the claim of the respondent. Thereafter, the respondent filed execution proceedings in E.P.No.05 of 2021 in C.P.No.83 of 1999 and the Labour Court without knowing about the order of this Court dated 23.08.1999 in W.M.P.No.15730 of 1999 in W.P.No.11119 of 1999, allowed the execution proceedings, which is not sustainable one.

8.In view of the above, this civil revision petition is allowed and the order dated 20.05.2022 passed in E.P.No.05 of 2021 in C.P.No.83 of 1999 by the Labour Court, Cuddalore is set aside. No costs. Consequently, the connected miscellaneous petition is closed.

16.04.2026

pri

Index: Yes/ No Speaking Order: Yes/ No NCC: Yes/ No

5/6



WEB COPY



C.R.P.No.4295 of 2022

M.DHANDAPANI,J.
pri

To

The Labour Court,
Cuddalore.

C.R.P.No.4295 of 2022
And
C.M.P.No.22560 of 2022

16.04.2026

6/6