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W.P.No.39721 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2026

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.39721 of 2025
and W.M.P.No.44633 of 2025

1. The Chairman & Managing Director,
M/s.Bharat Electronics Limited,
Outer Ring Road, Nagavara,
Bengaluru – 560 045.
2. The General Manager – HR,
M/s.Bharat Electronics Limited,
Outer Ring Road, Nagavara,
Bengaluru – 560 045.
3. The General Manager,
M/s.Bharat Electronics Limited,
Nandambakkam,
Chennai – 600 089.
Represented by General Manager .. Petitioners

Versus

1. The Secretary,
BEL – TEX Employees Union,
M/s.Bharat Electronics Limited,
Nandambakkam,
Chennai – 600 089.
2. L.Singaravelu,
Junior Section Officer (Dismissed Employee),
Employee No.209556,
Plot No.26, 19th Cross Street,



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Padmavathy Nagar Extension,
Madambakkam, Chennai – 600 126.
Ph.No.9677004194

.. Respondents

(Second respondent is impleaded as per the order in
W.M.P.No.54459 of 2025 in W.P.No.39721 of 2025,
dated 29.01.2026)

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus calling for the records of the Central Government Industrial Tribunal-cum-Labour Court, Chennai in Misc. Application No.1/2024 in I.D.No.30/2022, dated 24.04.2024 and Interlocutory Application No.1/2025 in Miscellaneous Application No.1 of 2024 in I.D.No.30 of 2022, dated 12.09.2025 and quash the same and further direct the Central Government Industrial Tribunal-cum-Labour Court, Chennai to restore the Approval Application.

For Petitioner : Mr.Haroon Al Rasheed,
for M/s.Advit Law Chambers

For Respondents : Mr.L.Singaravelu,
Party-in-person

ORDER

This Writ Petition is filed challenging the order, dated 24.04.2024 made in Miscellaneous Application No.1 of 2024 in I.D.No.30 of 2022 and Interlocutory Application No.1 of 2025 in Miscellaneous Application No.1 of 2024 in I.D.No.30 of 2022, dated 12.09.2025 and to quash the same.



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2. Upon hearing the learned Counsel for the petitioner and perusing the affidavit filed in support of the Writ Petition and the material records of the case, the grievance of the petitioner is that it is a public sector undertaking functioning under the control of the Central Government. The workman, *L.Singaravelu*, being the employee under the petitioner management, during the COVID phase – II, went into public making unscrupulous and scurrilous allegations against the management as if the management is risking the lives of the workmen. Therefore, disciplinary proceedings were initiated against the said *L.Singaravelu* and by the order, dated 29.08.2023, dismissed the workman from service. Since, already, an Industrial Dispute was pending, the application in M.A.No.1 of 2024, was filed for approval of the punishment under Section 33(a)(b) of the Industrial Disputes Act, 1947. When the same came up for hearing on 24.04.2024, the Incharge Officer, who was manning the Tribunal on a temporary basis having been deputed from some other bench, without understanding the circumstances under which the Approval Petition is filed, erroneously questioned that when the petitioner management has already dismissed the employee from the service, why it is filing the Approval Petition and the party-in-person was also appearing



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and they also further submitted as if it is not necessary at all and that if they are aggrieved, they will file the Industrial Dispute.

3. In view of the said outburst by the Tribunal, since the Counsel who is representing the management namely, *Mr.Narayanan*, was an elderly gentleman, aged about 81 years, tried to make his point to the Tribunal, but, the Tribunal repeatedly threatened either to withdraw the Computation Petition or that it will dismiss it by mulcting costs of Rs.1,00,000/-. In the spur of the moment, without thinking about the consequences, the Counsel immediately orally submitted, without even making an endorsement, that he withdraws the petition and accordingly, without even getting any endorsement, the petition was dismissed as withdrawn. Immediately, on the very next day, since the petitioner management expressed its strong displeasure on account of the withdrawal, an affidavit was filed and an application for recall of the order, dated 24.04.2024 was filed. However, no orders were passed. Under the circumstances, when the petitioner came up before this Court earlier, this Court directed the concerned Court to first consider and decide the said application by the order, dated 24.01.2025 made in W.P.No.15299 of 2024. Thereafter, yet another Presiding Officer was there in charge and



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new Presiding Officer has now passed the second impugned order, dated 12.09.2025 rejecting the application for recalling, that was filed by the petitioner management. The reason given by the Tribunal this time is that the affidavit of *Mr.Narayanan* was not filed and therefore, the petition was rejected.

4. The learned Counsel for the petitioners would submit that firstly, there was serious misconduct on the part of the employee inasmuch as he went to the press. Even if he is a union office bearer, he should have taken it up only with the management and they not only made a press release by releasing their letter to the press, some of them gave interview also as if the action of the management had caused the death of one employee. When the petitioner is a reputed organisation of Government of India doing yeoman service, the image cannot be tarnished by its own workman. Therefore, the charge is serious and he has rightly been dismissed after following the due principles of natural justice.

5. When the application for approval was filed, it was expected of the Tribunal to follow the dictum laid down by the Hon'ble Supreme Court of India in *Lalla Ram Vs. The Managment of DCM Chemical*



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Works Limited and Anr.¹ and frame the five questions, answer the same and decide the approval on merits. On the contrary, it indulged in a verbal threatening exercise. On account of sheer advanced age and the momentary indiscretion, the learned Counsel had withdrawn the petition. When the affidavit is filed on the very next day, bringing to the notice that as to what transpired in the Tribunal, the Tribunal ought to have recalled the order and considered the Approval Petition on merits in accordance with law.

6. Per *contra*, the party-in-person, present before the Court, would submit that the grievance of the trade union was, on account of COVID-19, when the other units of the same B.E.L had been closed in Bangalore and in some units, only 10% of the total strength was functioning, even though the State Government had given a directive that even the essential services can function with only 50% of the workforce, the management was functioning with 100% of the workforce. They were also asking the employees to bear their own transport cost which was very high. Therefore, when the grievance letter was given, the same was circulated by the press not by the concerned employee, but, on account of

¹ (1978) 3 SCC 1



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the circumstances, it was released to the press on behalf of the union and some other employees gave the interview and not the present workman.

He would submit that on the day of hearing, it is true that the bench directed the Counsel that it will impose costs of Rs.1,00,000/-. According to him, after considering the objections to the Approval Petition, the bench had made such an observation.

7. I have considered the rival submissions made on either side and perused the material records of the case.

8. Firstly, the Writ Petition is filed by pleading that the impugned order refusing to recall the order dismissing the Approval Petition as withdrawn causes gross injustice to the management. In that background, this Court went into the enquiry proceedings. It can be seen that it was phase-II of COVID-19. Phase-II was the more serious one taking more lives as far as India is concerned. At that point of time, everybody was in panic mode and making all kinds of statements. The employee, being the office bearer of the trade union, has released press release to all the television channels and newspapers. It is stated in the said communication that COVID-19 second wave is increasing and the



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Government of Tamil Nadu had directed the essential manufacturing units to function with 50% of the workforce. However, the management is working with 100% of the workforce. Because it is a Central Government organisation, it is not following the State Government order. It is further stated in the press release that the employees are also directed to pay a sum of Rs.1,000/- out of their own personal expenses per day for travel which is huge and cannot be borne by the employees. It is further stated that the other branches are either closed or working with the reduced employees. Therefore, it is prayed that the press and the media shall broadcast and shall print this news item so that awareness is created and the lives are saved. It is also further mentioned that an employee had also already died.

9. Taking offense of the above, a charge-sheet is given alleging that he has violated the rules and regulations of the Corporation by making all these false allegations as if compulsory production is happening only in Chennai while the other units have suspended the operation, the demise of the officer in the unit was due to the management calling the employees to attend the work and the false information about the transport facility is made. On the strength of the same, the punishment has been imposed. In the cross-examination and in the enquiry report, it can be seen that the



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presenting officer partly admits that they were considering the transport and were estimating that the expenses of the executive employees will be Rs.900/- to Rs.1,000/- per day.

10. Taking into consideration the COVID phase-II in the background, it is common knowledge that at that point of time, nobody had any clarity and each of them were making all kinds of statements. Even undue comments were also initially made against the State and Central Governments for imposing lock down also. The Governments, by adopting a motherly attitude, had forgiven all the erring citizens and even the Criminal Cases foisted against the citizens for making these statements, violating the COVID-19 protocols etc., were all withdrawn. When life and death was involved, even though it was inappropriate on behalf of the trade union to have made communications to the press and news channel and that would be violative of all the rules and would *per se* amount to misconduct, after everybody came out of the COVID-19 situation and became normal, every organisation tried to forget the episodes that happened during COVID-19 and forgiven the respective wrongdoers. However, this management had taken it to its heart and continued with the disciplinary proceedings as against the trade union office bearer.



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Therefore, even on a cursory glance, in that context, if these proceedings are going to result in the workman being reinstated into service, it cannot be said that gross injustice is caused to the petitioner.

11. Secondly, to an extent, the learned Counsel and the management is right inasmuch as the circumstances in which the Approval Petition was withdrawn. But, at the same time, when they filed a recall petition, it could have been more appropriate that the particular Counsel who stood and argued the matter and who made the decision in the spur of the moment, alone filed the affidavit. The dismissal of the recall petition on such a ground cannot be held to be a perverse reasoning or an implausible view at all. I have also kept the nature of the charge and the exact text of the press release that is given and the disciplinary proceedings in the background.

12. For all the aforementioned reasons, the Writ Petition lacks merit and is accordingly dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

29.01.2026

Neutral Citation : yes
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D.BHARATHA CHAKRAVARTHY, J.

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