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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-11-2026

Case QR

CORAM

THE HON'BLE DR JUSTICE G. JAYACHANDRAN

AND

THE HON'BLE MR.JUSTICE E.MANOHARAN

WA No. 3445 of 2026

CNR:{HCMA012624852026}

S.Vengadessaperoumal

..Appellant

Vs

The Director
Pondicherry Institute of Medical Sciences,
Kalapet, Puducherry 605 114.

..Respondent

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, to set aside the order dated 04.08.2026 passed in WP No.33699 of 2025 and allow the Writ Appeal.

For Appellant: Mr.P.R.Thiruneelakandan

JUDGMENT

(*Judgment of the Court was delivered by Dr.G.Jayachandran J.***)**

The appellant herein, being aggrieved by the order of termination from service, had raised an industrial dispute before the Industrial Tribunal-cum-Labour Court at Puducherry in I.D.(L).No.21 of 2022.

2. The Labour Court, while considering the petition filed under Section 2-A(2) of the Industrial Disputes Act, had formulated a following point

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for determination as a preliminary issue:-

> *"Whether the domestic enquiry conducted by the Enquiry Officer was fair and proper?"*

3. After considering the procedure followed in the domestic enquiry, the Labour Court answered the preliminary issue in the affirmative, concluding that the domestic enquiry had been conducted in a fair and proper manner by following the principles of natural justice,. Accordingly, the learned Judge posted the matter for further enquiry on the remaining issues on 24.06.2025.

4. Challenging the said preliminary award, the appellant has filed W.P.No.33699 of 2025, seeking the following relief:-

> *"This Writ Petition is fled under Article 226 of Constitution of Indra, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned preliminary award dated 26.05.2025 passed by the Industrial Trihunal-cum-Lahour Court, Puducherry, in I.D. (L) No.21/2022, and quash the same as being illegal, arbitrary without jurisdiction and contrary to law and Constrain the Labour Court to restrict its adjudication at the preliminary stage to the question of fairness and property of the domestic enquiry and thereafter proceed with the industrial dispute in accordance with law, uninfluenced by any findings on merits recorded in the impugned order."*

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5. The learned Single Judge, on considering the preliminary award dated 26.05.2025 passed by the Labour Court and the prayer sought, dismissed the writ petition.

6. The learned Single Judge held that the findings recorded by the Labour Court were entirely in favour of the petitioner as his challenges to the domestic enquiry had been accepted. It was further observed that the writ petition had been filed mechanically, without properly reading and understanding the findings recorded in the impugned award and consequently, the writ petition was dismissed as devoid of merits.

7. The learned counsel appearing for the appellant submitted that the learned Single Judge had gone beyond the scope of the prayer sought in the writ petition and made certain observations regarding the preliminary award that may prejudice the appellant. Therefore, he pleaded that the Labour Court be directed to proceed with the remaining issues without being influenced by the factual findings recorded by the Labour Court in the preliminary award.

8. It goes without saying that the observations made by the Labour Court while deciding the preliminary issue on the fairness of the domestic enquiry are confined only to that issue and those observations need not be taken as conclusive for deciding the other substantial issues.

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9. Therefore, we have no doubt that the Industrial Tribunal-cum-Labour Court, Puducherry, while adjudicating the other core issues, will decide them independently on their own merits based on the material evidence placed before it.

10. With the above observation, this Writ Appeal stands disposed of. No costs.

(Dr.G.J.,J.) (E.M.,J.)
18-11-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

rpl

To

The Director
Pondicherry Institute of Medical Sciences,
Kalapet, Puducherry 605 114.

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and
E.MANOHARAN J.

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