



WEB COPY

W.A.No.144 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2026

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.A.No. 144 of 2026
and
C.M.P.No.1177 of 2026

The Management,
Tamil Nadu Arasu Pokkuvarathu Kazhagam (Kovai Region) Ltd.,
No.37, Mettupalayam Road,
Coimbatore – 641 043.

...Appellant

Vs.

A.Duraisamy

...Respondent

PRAYER: The Writ Appeal filed under Clause 15 of the Letters Patent praying to set aside the order dated 23.06.2025 made in W.P.No.22201 of 2023 and allow this Writ Appeal.

For Appellant : Mr.A.Vinothraj

J U D G M E N T

(Judgment of the Court was delivered by C.KUMARAPPAN, J.)

The present Writ Appeal is filed assailing the order of the learned Single Judge dated 23.06.2025 in W.P.No.22201 of 2023.



2. The learned Single Judge has confirmed the order passed by the Labour Court in C.P.No.20 of 2022 dated 08.11.2022, in which the Labour Court directed the Management to settle the subsistence allowance between the period 25.09.2021 till 19.03.2022.

3. The main contention put forth by the learned counsel for the appellant is that the suspension was revoked on 18.10.2021. However, the respondent joined duty on 19.03.2022. Therefore, after the issuance of revocation of suspension, the respondent is not entitled for any subsistence allowance.

4. While looking at the findings rendered by the Labour Court, the Labour Court has arrived at a factual finding that the respondent was not served with the order of revocation of suspension and admittedly such revocation was intimated by affixing the order in the notice board of the Department as well as through oral communication over phone.

5. This factum was stoutly objected by the respondent.

6. When this Court put a pertinent question to the learned counsel appearing for the appellant, he would fairly submit that the respondent was not served with personal notice and whatever service was only by way of affixture, that too, in the official notice board of the Department and through telephone



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communication. However, there is a factual finding by the Labour Court that there is no proof as to the telephone communication.

7. When the Labour Court has arrived at a factual finding that there is no personal communication to the respondent herein in respect of revocation of suspension, the finding rendered by the Labour Court directing the appellant herein to pay subsistence allowance cannot be found faulted. The learned Single Judge relying upon the factual finding rendered by the Labour Court as well as upon the admitted facts has confirmed the order of the Labour Court. Thus, we absolutely do not find any infirmity in the order of the learned Single Judge.

8. Hence, the Writ Appeal is **dismissed**. No costs. Consequently, the connected miscellaneous petition is closed.

(S.M.S., J.) (C.K., J.)
27.01.2026

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



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To

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