



W.P.(MD)No.3277 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 01.06.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.3277 of 2026
and
W.M.P.(MD)No.2699 of 2026

The Chairman,
Adarsh Educational Trust,
Adarsh Vidya Kendra,
Vettoornimadam,
Nagercoil-629 003,
Kanyakumari District.

... Petitioner

- Vs. -

L.Radha

... Respondent

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Writ Petition, to issue a Writ of Certiorari calling for records relating to the proceedings of the Labour Court, Tirunelveli, in C.P.No.18 of 2019 dated 26.06.2025 and quash the same.

For Petitioner : Mr.N.Mohideen Basha

For Respondent : Ms.M.Murugeswari
Legal Aid Counsel



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ORDER

The petitioner challenges the order dated 26.06.2025 passed by the Labour Court, Tirunelveli, in Computation Petition No.18/2019.

2. By the impugned order, the Labour Court directed the petitioner to pay a sum of Rs.7,29,488/- towards back wages up to 31.05.2019 together with interest at the rate of 9% per annum from 03.06.2019 till the date of realisation.

3. Though notice has been served on the respondent, she has neither entered appearance in person nor through counsel.

4. The facts leading to the filing of the present writ petition are that the respondent was dismissed from service by the petitioner. Aggrieved by the same, the respondent raised an industrial dispute in I.D.No.37 of 2014 seeking reinstatement and other consequential benefits. The Labour Court, by its award, set aside the order of dismissal and directed the petitioner to reinstate the respondent with continuity of service. The Labour Court further held that the respondent was entitled to receive her



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last drawn monthly wages of Rs.9,425/- till reinstatement.

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5. The award passed by the Labour Court was subsequently challenged before this Court in W.P.(MD) No.15474 of 2016. However, the award came to be confirmed by this Court. Since the petitioner failed to pay the monetary benefits flowing from the award, the respondent initiated proceedings under Section 33-C(2) of the Industrial Disputes Act, 1947 by filing Computation Petition No.18 of 2019 seeking computation and recovery of the amounts due to her. After considering the materials placed on record and hearing the parties, the Labour Court passed the impugned order.

6. The learned counsel appearing for the petitioner submitted that the respondent had misappropriated funds belonging to the petitioner institution and was, therefore, dismissed from service. It was further contended that during the period subsequent to her suspension, the respondent was employed in another school and consequently was not entitled to claim back wages for the said period.



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7. The submissions of the learned counsel for the petitioner have been carefully considered.

8. A perusal of the impugned order reveals that the very same contention had been raised by the petitioner before the Labour Court in the industrial dispute proceedings. The Labour Court, while adjudicating I.D. No.37 of 2014, had considered the allegation regarding the respondent's employment in another institution during the pendency of the disciplinary proceedings. Upon appreciation of the evidence, the Labour Court came to the conclusion that the respondent was entitled to receive her last drawn wages of Rs.9,425/- per month from the date of suspension. The Labour Court had also taken note of the fact that had the respondent continued in service, her monthly wages would have been substantially higher.

9. The Petitioner has not placed any cogent evidence to substantiate that the Respondent was gainfully employed elsewhere during her suspension period or after dismissal till reinstatement .



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Therefore, the issue now sought to be raised by the petitioner has already been considered and decided by the Labour Court while passing the award dated 20.07.2016. The said award has attained finality upon its confirmation by this Court in W.P.(MD) No.15474 of 2016. In a proceeding under Section 33-C(2) of the Industrial Disputes Act, the Labour Court is only required to compute the monetary benefits flowing from an existing award and cannot re-adjudicate issues that have already been finally decided.

10. In the present case, the Labour Court has rightly computed the amount payable to the respondent based on the award and held that she is entitled to back wages for the period from 01.02.2011 to 31.05.2019 calculated on the basis of her last drawn wages of Rs.9,425/- per month. This Court finds no illegality, perversity, or infirmity in the impugned order warranting interference under Article 226 of the Constitution of India.

11. Accordingly, this writ petition stands dismissed.



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12. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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HEMANT CHANDANGOUDAR, J.

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