

In the Court of Labour Court, Kancheepuram

**Present: Tmt.S.Sujatha, M.A., M.L.,
Presiding Officer, Labour Court,
Kancheepuram.**

Tuesday, the 16th day of June 2026

I.D.No.394/2018

CNR No.TNKP18-000408-2018

K.Suvibabu,
S/o.D.Kumar,
No.137/2, Rajiv Gandhi Road,
Pondhur Post, Thathanur Village,
Sriperumbudur Taluk,
Kancheepuram District – 602 105.

--- Petitioner / Workman

//vs//

The Management of Bridgestone India
Automotive Products Private Limited,
Rep.by its Managing Director,
No.136, Vaipur 'B' Block, Eraiyur Village,
Mathur Post, Sriperumbudur Taluk,
Kancheepuram District – 602 105.

(Amended as per Order in I.A.No.3/2026,
dated 01.04.2026) as follows :

The Management of Prospira India
Automotive Products Private Limited,
Rep.by its Managing Director,
No.136, Vaipur 'B' Block, Eraiyur Village,
Mathur Post, Sriperumbudur Taluk,
Kancheepuram District – 602 105

--- Respondent/Management

This Industrial Dispute came up on 03.06.2026 for final hearing before
this court in the presence of M/s.P.Ganeshram, A.Rekha, U.Manogar and

A.L.Franc Paul Asirvadam Advocates for the Petitioner. M/s.G.Anandakrishnan, S.Haroon Al Rasheed, AGAM Legal and R.Karthick Advocates for respondent and upon perusal of records and hearing the both side arguments and having stood over for consideration till this day, this court delivered the following

AWARD

1. This Industrial dispute is filed U/s 2A(2) of the ID Act 1947, praying to set aside the dismissal order dated 22.06.2015 and to direct the respondent management to re-instate the petitioner in service, with full backwages, continuity of service, and all other consequent and attendant benefits.

2. The averments in the claim statement filed U/s 2A(2) of the ID Act by the Petitioner is as follows:

The Industrial dispute has been raised as against the illegal termination of the petitioner on 22.06.2015. The respondent/management manufactures automobile spare parts.

The petitioner joined the service of the respondent/management on 15.09.2010 and he was designated as a trainee. But no training was imparted to the petitioner by the respondent/management at any point of time in the factory. Petitioner was confirmed as permanent workmen by an order dated 15.09.2013. Petitioner had been discharging his duties in a sincere and diligent manner and to the utmost satisfaction of his superiors.

More than 400 workers were employed in the respondent factory but

treated only 164 workers as 'permanent' workmen remaining workers were paid through intermediaries under sham contracts. Workers were supervised and controlled by the supervisors of the management and their services were utilized for the direct manufacturing process. Workers despite working continuously for long number of years, respondent failed to confirm their services and thereby denied them various benefits under labour welfare legislation.

Majority of the workers became members of CITU, majority of the workers formed Bridgestone Employees Union and affiliated to the independent trade union namely "United Labour Federation" on 01.08.2015. The petitioner was one of the active participant in formation of the union in the respondent factory and he was the 'Secretary'.

The respondent/management threatened the workers not to participate in the trade union activities and forced to resign their membership from the said union. The respondent/management refused to deal with the said union and dealt only with the 7 member committee appointed by the management. The management arbitrarily terminated about 9 workers for their involvement in trade union activities including the petitioner.

Respondent/management started imposing the punishment of dismissal from service on false and concocted allegations without any opportunities.

On 23.04.2014 a trade union meeting was conducted at a private place near the factory premises. The petitioner was selected as the Secretary of the

trade union and D.Arun, P.Sasikumar, A.Dilli, Muthupandi were selected as the office bearers of the trade union. As a measure of victimization, earlier the Branch President Mr.Muthupandi and Mr.Dilli were unlawfully transferred to New Delhi. Unable to bear the victimization activities of the Management Mr.Muthupandi and Mr.Ramesh have resigned their jobs.

On 02.04.2014 the respondent issued a charge sheet alleging that the petitioner interrupted the company buses, instigated the workers to go on dharna, interrupted the workers going out of the factory from their C Shift and such acts were misconduct under Standing Order Rule No.20,21 and 36. Respondent issued a suspension order dated 07.04.2014. Petitioner replied vide his letter dated 15.04.2014.

The respondent/management sent a show cause notice dated 23.04.2014.

Stating

- i) On 10.03.2014 the petitioner was found missing from the work spot between 04.45am and 05.00am.
- ii) On 14.03.2014 petitioner refused to receive the charge sheet dated 14.03.2014 with regard to alleged acts of misconducts committed on 10.03.2014
- iii) On 17.03.2014 unauthorisedly entered the factory premises without permission after applying for leave on 15.03.2014

- iv) On 18.03.2014 once again the show cause notices dated 14.03.2014, 17.03.2014 and 18.03.2014 were refused to be received by the petitioner.
- v) On 22.03.2014 once again the show cause notices dated 14.03.2014, 17.03.2014 and 18.03.2014 were refused to be received by the petitioner.
- vi) On 25.03.2014 along with 5 unrelated persons the petitioner barged into the factory premises without authorization and refused to have dialogue with the officials and after being informed that it was not possible to meet the MD, the petitioner left the factory premises and on the same day in the evening, the petitioner blocked the MD's car in the main road and petitioner refused to receive the said show cause notice.
- vii) On 26.03.2014 the petitioner along with 3 others namely Ramesh, Arun and Arun Bharathi (Trainee) stopped all the workmen at the factory gate and did not allow them to report for work and as a result the factory production came to a halt on 26.03.2014 between 6am and 2.30pm. It was also alleged that after much persuasion and intervention of external leaders, the petitioner permitted the workmen of the second shift to report for duty after 2.30pm

viii) On 02.04.2014 the petitioner refused to receive the show cause notice for the alleged incident that took place on 26.03.2014.

Without giving any sufficient time to the petitioner to give his reply, the respondent/management hastily sent enquiry notice dated 28.04.2014. Petitioner gave his reply dated 30.04.2014. The enquiry was arbitrarily concluded on 02.07.2014.

2nd show cause notice dated 01.08.2014 was issued along with the Report of the Enquiry Officer dated 18.07.2014 and the petitioner submitted his objection vide his letter dated 08.08.2014.

On 22.05.2015 the respondent/management issued Dismissal order along with a cheque bearing No.780850 dated 22.05.2015 for a sum of Rs.11,721/- towards full and final settlement. The Dismissal order imposed against him was against sec.33 of the ID Act, 1947.

The respondent/management sent a letter to the petitioner stating that the earlier dismissal order dated 22.05.2015 sent to him was withdrawn and that the petitioner was dismissed from service on 22.06.2015 and the Management issued cheque bearing No.529000 dated 22.06.2015 for a sum of Rs.11,500/- towards Subsistence Allowance and cheque bearing No.529001 dated 22.06.2015 for a sum of Rs.11,500/- towards Notice period pay. The respondent/management filed A.P.No.001 of 2015.

The dismissal order dated 22.06.2015 is not valid in the eye of law as per

sec.33 of the ID Act and the same is against the Standing Orders applicable to the respondent factory. The 2nd order of dismissal dated 22.06.2015 issued to the petitioner by the respondent/management is liable to be set aside.

Enquiry was conducted against the Principles of Natural Justice. Petitioner has been rendering his service in a sincere and diligent manner and to the utmost satisfaction of his superior officer. The management imposing punishment of dismissal from service without considering his past record of service, is unjust.

Dismissing the petitioner under the guise of disciplinary action is nothing but an act of victimisation and the same is an unfair labour practice and punishable as contemplated u/s.25T and 25U of the ID Act.

His last drawn monthly wages were Rs.11,500/-. The petitioner has not been gainfully employed, without any source of livelihood he and his family are facing undue mental and economic hardship. Hence to set aside the dismissal order dated 22.06.2015 and direct the respondent management to re-instate the petitioner in service, with full backwages, continuity of service, and all other consequent and attendant benefits.

3. The averments in the Counter statement filed by the Respondent is as follows :-

All the allegations are denied as false except those that are herein after specifically admitted.

The factory of respondent is engaged in the manufacture of automotive products. Any disruption in production activity would affect the supply of components also adversely affect the image of the respondent in the market.

Respondent has its own Certified Standing Orders. There was a works Committee taking care of the grievances redressal activities of the employees in every department.

On 10.03.2014, the petitioner was working in the C shift and he was found to be missing from his work place between 4.45am to 5.30am, towards the close of the shift on 11.03.2014. A charge sheet dated 14.03.2014 was issued to the petitioner for the misconduct.

On 15.03.2014, the petitioner applied for leave and was also sanctioned leave. The petitioner entered inside the factory without following the laid down procedures and was found to be loitering inside the factory premises. He was again issued charge sheet on 17.03.2014. The charge sheets were again attempted to be served on the petitioner on 22.03.2014 but in vain.

The managing director of the respondent was leaving after work, the petitioner intercepted the Car of the Managing Director, along with some other persons and created a ruckus near the factory gate. He was again issued charge sheet on 25.03.2014.

On 26.03.2014, the petitioner alongwith three other employees squatted in front of the factory gate and obstructed the employees from proceeding to the

morning shift. There was a big chaos in the factory and as a result the production activities were suspended for the whole shift. After the intervention of police and other outsiders, the petitioner and other employees allowed the employees to return to work. Further instigated the employees for stay in strike. A separate charge-sheet was issued to the respondent on 07.04.2014.

As all the charge-sheets issued to the petitioner remain unserved, on 23.04.2014 the respondent was advised to issue a comprehensive charge sheet listing out the instances of misconduct committed by the petitioner between 10.03.2014 and 23.04.2014. The petitioner gave a reply, which was not acceptable. The respondent was not satisfied with the reply, the respondent ordered for a domestic enquiry by a retired Judicial Magistrate.

The enquiry commenced on 03.05.2014 and was concluded on 02.07.2014. The Enquiry officer held the charges against the petitioner stood proved. The petitioner was also served with a second show cause notice proposing the details of the punishment.

The domestic enquiry against the petitioner was held in accordance with the Principles of Natural Justice.

The conduct of the Petitioner resulted in affecting the production of the company and also undermined the discipline among the employees of the factory.

The petitioner was proceeded for various acts of misconduct committed

in course of his employment. By order dated 22.05.2015 the petitioner was dismissed from service. The conciliation proceedings in respect of Charter of Demands raised by the Union had ended in failure as early as on 21.05.2015, the respondent did not file any approval application in respect of the dismissal order dated 22.05.2015, as it was issued much later than the failure report. The respondent has rescinded the dismissal order dated 22.05.2015 and issued fresh termination order dated 22.06.2015 and simultaneously filed an approval application. The order of dismissal is fully justified.

The respondent had not been resorting to any unlawful trade practices or exploiting the workmen as portrayed by the workman and no such complaints have been made against the respondent before any Labour Officer. The respondent was never averse to any genuine Trade Union activities. The non-employment of the petitioner was not on account of his union activities, but for the misconduct committed by him.

The claim of the petitioner that he along-with the said persons were victimised cannot hold water. The enquiry was conducted in accordance with the Principles of Natural Justice. To pass an award rejecting the dispute.

4. The fairness of domestic enquiry had been taken as preliminary Issue and it had been decided by this court by order dated 13.11.2024 that domestic enquiry was conducted in a fair and proper manner. Subsequent to the same following issues were framed

- 1) Whether the findings of the Enquiry Officer is perverse?
- 2) Whether the petitioner has committed the alleged act of misconduct?
- 3) If so, Whether the punishment of dismissal is proportional to the misconduct?
- 4) If not, whether the petitioner is entitled to get the relief as prayed for?

Answer to the Issue No. 1

5. For enquiry u/s.11(A) of ID Act, the petitioner to prove his case has examined himself as WW1 and has marked Ex.W38 to W46 and on the side of respondent/management Deputy Manager had been examined as MW1 and Ex.M30 and Ex.M31 are marked.

6. Petitioner was issued with appointment order dated 21.10.2011 under Ex.W38 and petitioner was placed under probation vide order dated 18.01.2012 under Ex.W39 and was confirmed in his service vide order dated 14.02.2012 under Ex.W40 are all admitted facts.

7. Petitioner claims that due to his active participation in Trade Union activities he was victimised on false charges. To prove the said contention petitioner has produced the registration Certificate dated 21.07.2014 of the Trade Union to which belongs as Ex.W42 and Charter of demands raised by the union on 12.05.2014 as Ex.W41.

8. The petitioner in the claim statement has stated that Bridgestone employees Union was affiliated to ULF on 01.08.2015. Ex.W46 reveals the

same had been affiliated on 03.08.2015. Even before registration of Bridge stone employees union on 21.07.2014, the said union had raised a dispute before Conciliation Officer on 12.05.2014 for hike in wages. As no conciliation arrived, for the said dispute, failure report had been issued on 29.01.2015 under Ex.W44. For the stay in Strike undergone by the workers on 08.06.2015 at 2.25p.m. vide order dated 09.06.2015 under Ex.W45 Conciliation Officer has given advise. The said union had given an application on 16.05.2014 to declare 5 workmen of the union as protective workmen. Order has been passed on 03.09.2014 under Ex.W43 by the Conciliation Officer conferring protective status to five workmen for a period of six months. In the said order, the petitioner herein being the President of the said union is one of the protective workmen.

9. Bridge stone employees union has raised a charter of demands before Conciliation Officer only on 12.05.2014 (Ex.W41) But petitioner had been issued with a charge sheet dated 02.04.2014 and show cause notice alleging many charges for misconducts to have been committed by petitioner on various dates on 10.03.2014, 14.03.2014, 17.03.2014, 18.03.2014, 22.03.2014, 25.03.2014, 26.03.2014, 02.04.2014.

Registration of Bridgestone Employee's Union - 21.07.2014

Dispute regarding charter of demands -12.05.2014

Dispute regarding Protective workers status - 03.09.2014

Affiliated with ULF - 03.08.2015

Charges -02.04.2014

Show cause notice - 23.04.2014

10. As charge sheet and show cause notice has been issued to petitioner even before formation and registration of trade union, the contention of the petitioner that for his active participation in trade union activities he was victimised on false charges is not acceptable and the same is negatived.

11. The petitioner has stated that findings of the enquiry officer is biased and purely in favour of the respondent/management. The petitioner has stated that the charge is vague, basic complaint was not enclosed with the charge, no complaint was given by either workmen stating petitioner threatened and instigated them to take part in strike or demonstration, no details of such workmen, no specific time mentioned regarding alleged misconduct in 'C' shift, respondent/management has not taken any effective steps to serve the show cause notice on petitioner, hence there arises no question of refusal by petitioner to receive the same, letters which were sent by respondent/management to petitioner's address, they were not able to be received by petitioner, as he was at office at the time of postal officials came to his residence and the allegation that on 28.03.2014 petitioner obstructed the vehicle of the Managing Director, obstructed the workmen from 4.45 on 10.03.2014 in 'C'shift, on 15.03.2014, without due permission entered the premises of respondent/management, are all concocted for the purpose of this case and further has contended that there is no oral or documentary evidence produced by respondent/management to prove the

said alleged charges against petitioner.

Under Ex.M2 show cause notice dated 14.03.2014 it is stated that petitioner was absent in his working place on 10.03.2014 in C shift at 4.45 am.

12. During domestic enquiry petitioner has put question to Management side witness as follows

கேள்வி 28 : நான் அந்த கம்பெனியில் வேலை செய்த தொழிலாளி என்கிற

முறையில் கூறுகிறேன். வழக்கம் போல காலை 4.30 மணி முதல் 4.45 மணி

வரை தேநீர் இடைவேளை என்று கூறுகிறேன்.

பதில் : இல்லை.

கேள்வி 29 : அதிகாலை 4.30 மணி முதல் 4.45 வரை தான் நான் கம்பெனியில் சக

தொழிலாளியிடம் பேசிக்கொண்டிருந்தேன் என்று நான் சொல்கிறேன் இதற்கு

உங்களின் பதில் என்ன-?

பதில் : இல்லை.

கேள்வி 30 : 10.03.2014 அன்று 3வது shiftல் நானும் தேநீர் இடைவெளியில் சக

தொழிலாளிகளுடன் பேசிக்கொண்டு இருந்திருக்கலாம் அந்த காட்சி

cameraவில் பதிவாகியிருக்கலாம் என்று நான் சொல்கிறேன் இதற்கு

உங்களின் பதில் என்ன?

பதில் : இல்லை.

கேள்வி 31 : நான் வேலை செய்யாமல் எனது பணியிடத்தை விட்டு சென்றதாக

நீங்கள் கூறுகிறீர்கள்? மேலும், இதனால் எனது பணியில் என்ன பாதிப்பு

ஏற்பட்டது என்று கூற முடியுமா?

பதில் : கேட்டுகூறுகிறேன்.

கேள்வி 32 : 10.03.2014 அன்று 3வது ஷிப்ட்டில் 100% உற்பத்தி செய்யப்பட்டது

என்று கூறுகிறேன் அதற்கு உங்களின் பதில் என்ன?

பதில் : சம்மந்தப்பட்டவர்களை கேட்டு கூறுகிறேன்.

கேள்வி 35 : யாருடைய வேலை எந்த அளவுக்கு பாதிக்கப்பட்டது என்று

உங்களால் கூற முடியுமா?

பதில் : வீடியோவில் உள்ளது.

கேள்வி 39 : நீங்கள் தாக்கல் செய்துள்ள Ex.ME01 CDல் உள்ள காட்சிகள் எடிட்

செய்யப்பட்டுள்ளதா?

பதில் : இல்லை.

கேள்வி 40 : CDல் பதிவாகியுள்ள காட்சிகள் 10.03.2014 அன்று மூன்றாவது

ஷிப்ட்டில் எடுக்கப்பட்டது அல்லது ஏதாவது சந்தர்ப்பங்களில் ஓய்வு நேரத்தில்

சாதாரணமாக பேசிக்கொண்டிருந்ததை அல்லது வேலையைக்குறித்து

பேசிக்கொண்டிருந்ததை CD பதிவு செய்திருக்கலாம் என்று கூறுகிறேன்

உங்களின் பதில் என்ன?

பதில்: இல்லை.

From the above said questions it can be assumed that petitioner has admitted that even if petitioner was absent for 15 minutes at the work place and was chatting with co-workmen, the said act had not caused any loss to respondent/management. Further he claims that, the footage in CCTV ought have been edited. These questions reflects that there is implied admission on the part of the petitioner for his absence in workplace for 15 minutes. But whether that 15 minutes is during break time or working time is to be answered. Management side witness says he was absent only during work hours and not during break time. Another charge as per Ex.M5 is as follows

15.03.2014 சுமார் 08.15க்கு தொழிற்சாலை வளாகத்தினுள் முன்

அனுமதியின்றி உள்ளே வந்து வெளியே சென்றுள்ளீர். தாங்கள் உள்ளே வரும்

போது Time Card Machineல் தங்களுடைய டைம் கார்டை பதிவு செய்வது

போல் பாசாங்கு செய்து மற்றும் தொழிற்சாலையின் நுழைவு வாயிலில்

இருக்கும் பாதுகாப்பு/நேர அலுவலகரிடம் அடையாள அட்டையை காட்டாமலும் தொழிற்சாலை வளாகத்தினுள் மீறி சென்றுள்ளீர். மேலும் வேலை நேரத்தை தவிர மற்ற நேரத்தில் தொழிற்சாலை வளாகத்தினுள் நுழைவதற்கு அனுமதியின்றி வந்துள்ளீர். இவை அனைத்தும் தொழிற்சாலை நிலை ஆணை விதிப்படி தங்களின் ஒழுங்கினச் செயலை வெளிப்படுத்துகிறது.

13. Regarding the said charge petitioner during domestic enquiry has put questions as follows

கேள்வி 42 : என்னுடைய வேலை நேரம் இல்லாத காலத்திலும் அவசர வேலைக்காக பலமுறை என்னை தொழிற்சாலைக்குள் அழைத்து வேலை செய்யும்படி கூறியிருக்கிறார்கள் என்பது உங்களுக்கு தெரியுமா?

பதில் : இல்லை. மறுக்கிறேன்

கேள்வி 43 : திடீர் என மிஷின் பிரேக் டவுன் ஆனால் என் வீடு கம்பெனிக்கு அருகிலிருப்பதால் என்னை அழைத்து சரி செய்ய கூறுவார்கள் என்கிறேன் அது உங்களுக்குத்தெரியுமா?

பதில் : சம்மந்தப்பட்டவர்களிடம் Approval வாங்கி தான் உங்களை அழைப்போம்.

கேள்வி 44 : எப்பொழுதும் வேலை நேரம் அற்ற மற்ற நேரத்தில் கம்பெனிக்குள்

வருவதற்கு பணியாளர் அடையாள அட்டை காண்பித்தாலே உள்ளே வர

அனுமதிப்பார்கள் என்கிறேன்.

பதில் : மறுக்கிறேன்.

கேள்வி 46 : 15.03.2014 அன்று நான் வாயிலில் எனது அடையாள அட்டையை

காட்டி ஆலைக்குள் வந்தேன் அங்கு சூப்பர்வைசர் திரு.புரீதர் அவர்களிடம்

அனுமதி கேட்டு அவர் அனுமதித்தபின் பணியிலிருந்த எனது நண்பரிடம்

மருத்துவமனை செல்ல கடனாக பணம் பெற்றுக்கொண்டு சென்றேன்

என்கிறேன் இதற்கு உங்களின் பதில் என்ன?

பதில் : இல்லை மறுக்கிறேன்.

From the above questions it can be assumed that petitioner was in the habit of entering the respondent premises even without making entries in the Time Card Machines. So it can be concluded that there is possibility of petitioner been entered the respondent/management premises on 14.03.2014 without any proper authorization. Petitioner has not proved that on oral requests to carryout repair works he used to enter the premises of respondent even on nonworking days and hours.

14. The charges that petitioner refused to receive the show cause notice issued to him is not proved by respondent/management for the reason that it is not specifically stated through which officials or persons the show cause notice was served on petitioner in person and the said charge is vague.

15. For the charge that petitioner has obstructed the car of the Managing Director, driver of Managing Director had given his clear evidence regarding the act of the petitioner. Petitioner though had cross examined the driver of the Managing Director elaborately was not able to extract any evidence in his favour to disprove the said charge.

16. Yet another charge against petitioner is that he was involved in illegal strike on 26.03.2014. But for the same petitioner during domestic enquiry has stated that on 26.03.2024 General body meeting was convened, some of the trade union members after obtaining permission went to meet the Managing Director, but petitioner alone was allowed. All the CCTV footage and related photography had been recorded in Domestic enquiry proceeding and petitioner had also put question regarding the genuiness of the CCTV footage. But has not come forward to prove that the CCTV footage was created, edited or modified for the purpose of this case.

17. Further petitioner in his cross examination has admitted that during stay in strike on 08.06.2015, he was not in job and he was not aware about the stay in strike on 08.06.2015. It being so, Ex.W45 has no relevancy in this case. Further petitioner during cross examination has adduced as follows

என்னுடைய பணி நீக்கமானது இரண்டு குற்றச்சாட்டு

குறிப்பாணைகளின் அடிப்படையில் அன்று உள்ளிருப்பு போராட்டுகளும்

அதற்கும் தொடர்பு இல்லை என்றால் ஆமாம், So it can be assumed that action was taken against petitioner for his misconduct and not for his involvement in union activities.

The enquiry officer after analysing all the oral and documentary evidence, had come to the conclusion that, charges against the petitioner are proved, this court finds no perversity in the findings of the enquiry officer. Point no.1 is answered accordingly.

Answer to Issue No.2

18. The management has through reliable evidence has proved the charges against petitioner. The oral and documentary evidence produced before court during preliminary issue also reflects that, the petitioner has committed the alleged act of obstructing the Managing Director's vehicle, has gone on illegal strike on 26.03.2014 and had instigated other workers to go on strike, and had entered the premises without punching in Time Card machine, whereas the charges that petitioner had refused to receive the show cause notice which was served on him, was absent in the workplace for 15minutes, (though for name sake it is decided that, he was absent for 15minutes at workplace, the said act is not a grievous misconduct) are not proved by respondent/management during domestic enquiry. Hence this court concludes that certain acts of

misconduct said to have been committed by petitioner are proved by respondent/management and certain acts of misconduct not proved by respondent/management. Point No.2 answered accordingly.

Answer to the Issue No.3

19. The charge that petitioner has obstructed the vehicle of Managing Director alone is slightly grave in nature, other charges which are proved by respondent/management during domestic enquiry proceedings does not warrants termination from service.

20. At the same time petitioner had been terminated from service in the year 2015. After a decade, reinstating the petitioner into service will affect the industrial peace. Hence this court considers that petitioner can be compensated with lumpsum.

21. Apart from that respondent/management has obtained approval for termination of service of petitioner. Petitioner had been terminated from service on 22.06.2015. For the dispute raised by Trade Union on 12.05.2014, failure report had been issued even on 29.01.2015. At the time of termination of service of petitioner, no dispute had been pending hence there is no violation of sec.33(c)(2) of ID Act as claimed by petitioner.

22. Petitioner had joined the service respondent/management as trainee in the year 2010, been confirmed in service in the year 2013, was terminated from service within two years of his confirmation. Considering all these aspects it is

decided to compensate the petitioner with lumpsum amount in lieu of his claims.

In the result, petitioner is awarded a lumpsum compensation of Rs.2,00,000/- (Rupees Two Lakhs only) in lieu of his claim against the respondent/management with continuity of service, back wages and other attendant benefits. The respondent is directed to pay the aforesaid compensation of Rs.2,00,000/- (Rupees Two Lakhs only) to the petitioner within one month from the date of Award. If the respondent fails to pay the award amount towards compensation the respondent would be liable to pay interest at the rate of 9% p.a on the awarded amount till the realisation.

Dictated to the steno typist, directly typed by her, corrected and pronounced by me in the open court, this the 16th day of June 2026.

Presiding Officer,
Labour Court,
Kancheepuram.

List of witnesses examined

For the Petitioner/Workman:

W.W.1 K.Suvibabu

For the Respondent / Management:

MW1 R.Premkumar

List of exhibits marked

For the Petitioner/Workman: (Documents Ex.W1 to 37 are marked by consent in preliminary issue)

Ex.W.1	02.04.2014	Copy of Charge memo
Ex.W.2	07.04.2014	Copy of suspension order
Ex.W3	15.04.2014	Copy of explanation letter given by petitioner
Ex.W4	23.04.2014	Copy of charge summary of memo given by respondent/management.
Ex.W5	28.04.2014	Copy of enquiry notice
Ex.W6	30.04.2014	Copy of petitioner's explanation
Ex.W7	06.05.2014	Copy of letter sent by the petitioner requesting adjournment of the domestic enquiry
Ex.W8	30.05.2014	Copy of letter sent by the petitioner requesting adjournment of the domestic enquiry
Ex.W9	06.06.2014	Copy of letter sent to the enquiry officer by the petitioner.
Ex.W10	14.06.2014	Copy of letter sent to the enquiry officer by the petitioner.
Ex.W11	20.06.2014	Copy of letter sent to the enquiry officer by the petitioner.
Ex.W12	25.06.2014	Copy of letter sent to the respondent by the petitioner.
Ex.W13	28.06.2014	Copy of letter sent to the enquiry officer by the petitioner.
Ex.W14	03.05.2014 - 02.07.2017	Copy of enquiry proceedings
Ex.W15	15.07.2014	Copy of reply of petitioner

Ex.W16	29.07.2014	Copy of 2nd show cause notice and findings report.
Ex.W17	08.08.2014	Copy of explanation of petitioner.
Ex.W18	18.09.2014	Copy of letter sent to the respondent by the petitioner.
Ex.W19	22.05.2014	Copy of Termination order
Ex.W20	31.05.2014	Copy of letter sent to the respondent by the petitioner.
Ex.W21	22.06.2015	Copy of Termination order
Ex.W22	26.06.2014	Copy of letter sent to the respondent by the petitioner.
Ex.W23	01.09.2016	Copy of 2A petition filed by petitioner
Ex.W24	02.11.2016	Copy of reply of respondent
Ex.W25	24.01.2017	Copy of Failure report.
Ex.W26	07.04.2014	Copy of suspension order
Ex.W27	15.04.2014	Copy of explanation letter of petitioner
Ex.W28	28.04.2014	Copy of enquiry notice
Ex.W29	03.05.2014 - 02.07.2017	Copy of enquiry proceedings
Ex.W30	15.07.2014	Copy of reply of petitioner
Ex.W31	29.07.2014	Copy of 2nd show cause notice
Ex.W32	08.08.2014	Copy of explanation of petitioner
Ex.W33	18.09.2014	Copy of petitioner's letter

Ex.W34	22.05.2015	Copy of Termination order
Ex.W35	31.05.2015	Copy of letter sent to the respondent by petitioner
Ex.W36	22.06.2015	Copy of Permanent termination order
Ex.W37	26.06.2015	Copy of letter sent to the respondent by petitioner

Documents marked during enquiry u/s.11A of ID Act.

Ex.W38	21.10.2011	Copy of appointment order
Ex.W39	18.01.2012	Copy of Probation Order
Ex.W40	14.02.2012	Copy of Confirmation order
Ex.W41	12.05.2014	Copy of Industrial dispute raised regarding wage increases and Charter of demands.
Ex.W42	21.07.2014	Copy of Trade union Registration Certificate.
Ex.W43	03.09.2014	Copy of the order granting protected worker status by the Assistant Commissioner of Labour.
Ex.W44	29.01.2015	Copy of Conciliation Failure report.
Ex.W45	09.06.2015	Copy of the agreement agreeing to reinstate all workers after the Assistant Commissioner of Labour previous notice of strike.
Ex.W46	03.08.2015	Copy of Certificate of affiliation to the ULF.

For the Respondent/ Management: (Documents Ex.M1 to M29 marked by consent in preliminary issue)

Ex.M.1	11.03.2014	Copy of Complaint given by other employees
--------	------------	--

Ex.M.2	14.03.2014	Copy of 1st show cause notice issued by the management
Ex.M.3	January 2014 to December 2014	Copy of Leave Card of the petitioner
Ex.M.4	March 2014	Copy of Attendance details of the petitioner.
Ex.M.5	17.03.2014	Copy of 2nd show cause notice issued by the management
Ex.M.6	18.03.2014	Copy of 3rd show cause notice issued by the management
Ex.M.7	25.03.2014	Copy of letter of B.Ramesh and show cause notice
Ex.M.8	08.05.2014	Copy of Police complaint along with the photographs and reply from the Inspector of Labour.
Ex.M.9	02.04.2014	Copy of 4th show cause issued by the management
Ex.M.10	03.04.2014	Copy of affidavit and order passed in I.A.141 of 2014 in O.S.No.24 of 2014
Ex.M.11	23.04.2014	Copy of Consolidated show cause notice issued by the management
Ex.M.12	30.04.2014	Copy of reply given by the petitioner
Ex.M.13	11.03.2014	CCTV Footage-CD
Ex.M.14	17.03.2014	CCTV Footage-CD
Ex.M.15	26.03.2014	CCTV Footage-CD
Ex.M.16	03.05.2014	Copy of enquiry proceedings -EO's report
Ex.M.17	09.05.2014	Copy of enquiry proceedings -EO's report
Ex.M.18	17.05.2014	Copy of enquiry proceedings -EO's report

Ex.M.19	03.06.2014	Copy of enquiry proceedings -EO's report
Ex.M.20	06.06.2014	Copy of enquiry proceedings -EO's report
Ex.M.21	14.06.2014	Copy of enquiry proceedings -EO's report
Ex.M.22	19.06.2014	Copy of enquiry proceedings -EO's report
Ex.M23	23.06.2014	Copy of enquiry proceedings -EO's report
Ex.M24	26.06.2014	Copy of enquiry proceedings -EO's report
Ex.M25	02.07.2014	Copy of enquiry proceedings -EO's report
Ex.M26	24.05.2014	Copy of proof affidavit of MW1 (with Tamil translation)
Ex.M27	03.06.2014	Copy of MW1 evidence and cross examination
Ex.M28	06.06.2014	Copy of proof affidavit of MW2 and cross examination
Ex.M29	06.06.2014	Copy of proof affidavit of MW3 and cross examination

Documents marked during enquiry u/s.11A of ID Act.

Ex.M30	22.06.2022	Copy of Certification of incorporation issued by the Ministry of Corporate Affairs.
Ex.M31	22.01.2026	Original authorisation issued to Mr.R.Premkumar

Presiding Officer,
Labour Court,
Kancheepuram.