

In the Court of Labour Court, Kancheepuram

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

Monday, the 11th day of May 2026

I.D.No.2/2024

CNR No.TNKP18-000009-2024

M.Shanthi,
W/o.Munusamy,
No.C6, Sivam Nagar,
Periyakuppam,
Tiruvallur District.

--- Petitioner / Workman

//vs//

Jeans Knit Private Limited,
Rep.by its General Manager,
K-56,57 & 59, Sipcot Apparel Park,
Sriperumpudhur Taluk,
Kancheepuram District - 602 117.

--- Respondent/Management

This Industrial Dispute came up on 16.04.2026 for final hearing before this court in the presence of M/s.A.Rekha, B.Manikavasaham and R.Sakthivel Advocates for the Petitioner. M/s.Murali Law Firm, R.Saranya, K.Anandharaja, M.Pravin, R.Teja & N.Malathi 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 against the respondent to set aside the illegal dismissal of petitioner on 06.01.2023 and to re-instate the petitioner in service, with continuity of service, full backwages and with all other attendant benefits and with cost.

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

The petitioner raised petition u/s.2A of ID Act against the illegal dismissal on 06.01.2023 before Deputy Commissioner of Labour (Conciliation-I), Irungattukottai and DCL has issued a conciliation failure report dated 05.04.2023 (ந.க.எண்.48/2023).

Petitioner has been working for about 14 years in ACL Company, Ambattur and an efficient worker. Mr.Dilip, the Human Resources Manager at the respondent factory, came to know about it and called the petitioner through a colleague and informed that the benefits in the respondent company are high and promised to pay the petitioner more than the salary received and more facilities are available under respondent. On 12.04.2022, the respondent/management issued an appointment order and since the petitioner had experience, she was directly employed as an operator in the sewing department from 12.04.2022 without being given any training.

The respondent/company manufactures ready-made garments and

exports them to foreign countries and earns high profits. The petitioner is a permanent employee working as a tailor in the respondent/management. Furthermore, the respondent/management is group of company of FFI.

The petitioner was dismissed on 06.01.2023 from her service by the respondent without any reason being given, without any enquiry conducted and without any formal written dismissal order issued.

The petitioner is a permanent employee in the respondent/management. The petitioner was working in the general shift from 08.15am to 06.00pm.

Petitioner has unblemished records. The petitioner has been working without taking any leave for any personal reason and without being accused of any kind. When the petitioner joined the services, she was being paid monthly salary of Rs.11,000/-.

More than 1200 workers working in the respondent/management. Even though the respondent is making profit, it is paying its workers low wages. The respondent/management does not follow the Labour Welfare Acts or the factory Rules and provides no fair wages or benefits.

The respondent/management has not issued permanent employment orders to the workers.

The Human Resources Officer and the Supervisors, Mr.Venkatesan and Mr.Kannan, deliberately teased and mocked the petitioner, saying that even though she was doing his service properly, it was not right. The petitioner told

the Human Resources Officers and they called them and warned them that the petitioner was a widow and should not be teased.

The petitioner has been receiving the same salary since the days she joined the service, so she has asked the Human Resources Officer, Mr.Dilip, to increase her salary. He said that he would look into it and sent the petitioner away.

On 05.01.2023, while the petitioner was working as usual, at around 2.00pm Supervisors Venkatesan and Kannan called the petitioner teased and ill treated her.

Thereafter, on 05.01.2023, at around 2.15pm, the Supervisors Venkatesan and kannan, forcefully grabbed the petitioner's right hand and pulled her.

On 06.01.2023 at 08.15 am the petitioner as usual went to the respondent's company to punch her attendance, the Human Resources Officer Thiruvengadam said that she should not punch in attendance and that she should see the Human Resources Manager Dilip.

The Human Resources Officer Thiruvengadam, Supervisors Venkatesan and Kannan all of them told the petitioner to sign in a paper. The petitioner said that she will read it and sign it. The Human Resources Officer, Thiruvengadam, got very angry and threatened the petitioner loudly that she would die here. The petitioner was very scared and asked why he was doing this. The petitioner having no other choice, signed the paper and left the cabin.

The petitioner did not know the details of what was written on the said paper.

Furthermore, the Human Resources Officer of the respondent/management Thiruvengadam, locked the petitioner in a cabin from about 08.15 am to 01.30pm, regardless of the fact that she was woman.

The Human Resources Officer Thiruvengadam, looked at the petitioner and said, "We have dismissed you from your service. You are not required to report to work from tomorrow. You have no connection with this company. I have the letter you wrote in my hand". Hearing this, Supervisors Kannan and Venkatesan immediately grabbed the petitioner's hand and pulled her out of the respondent company in front of co-workers. The petitioner was very upset and left the company and filed a Complaint at C1 Thiruperumpudur police station at around 06.00pm.

The respondent/management suddenly and illegally dismissed the petitioner without any reasonable cause on 06.01.2023, without any investigation or prior notice.

The petitioner has been working in the respondent company for more than 10 months continuously since 12.04.2022 without any break, and the respondent has without any reasonable cause, terminated service without consideration.

No enquiry was conducted, no notice was given and also pre notice was not given before the petitioner was dismissed. The petitioner is a worker u/s.2(S) of ID Act. Petitioner is a permanent employee of the respondent

company. Without any reason termination is a retrenchment u/s.2(oo) of the ID Act. Retrenchment without prior permission is not permissible u/s.25N of ID Act.

The petitioner is currently living alone, she is the only income earner in her family and her family have been severely affected financially due to the sudden dismissal of the petitioner. Petitioner's age is 48 years. The petitioner is unemployed and in financial distress since the day of her dismissal. Her last monthly salary was Rs.11,000/-.

Hence the dismissal of the petitioner from service is against natural justice, the Industrial Dispute Act and the Standing Orders and to set aside the illegal dismissal of the petitioner from 06.01.2023 and to reinstate the petitioner into service, with continuity of service, full backwages and all other attendant benefits with cost.

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

All the averments in the claim petition of the petitioner are denied except those that are admitted herein.

The respondent/management is engaged in readymade garments and more than 1200 employees are working under the management and 80% of them are female employees. Management has been providing very good working conditions to all its workers which include minimum wages, PF, ESI,

Bonus, Gratuity, weekly holidays, festival and national holidays, free food, free tea and free transportation etc. The authorities of labour and factories department have been regularly inspecting the factory and verifying the records for the same.

The respondent/management is giving job opportunities to the experienced persons. Petitioner has worked already in ACL company for the past 14 years and so was appointed as operator on 12.04.2022.

The respondent/management is giving experienced skilled work to the experienced persons including the petitioner. But the petitioner is not able to perform as per the required skills hence causing damages to the product. Due to this there are lot of rejections happening and losses being incurred. Hence the management advised her and gave her small stitching works. The management by giving several opportunities asked her to take extra care and to rectify her mistake. But in vain. In such circumstances on 05.01.2023 she voluntarily gave resignation letter to the management for the reason she is not well. The management accepted her resignation letter and relieved her from the service.

Petitioner approached before ACL (Conciliation-I) and the management appeared and gave detailed explanation and also informed that the management is ready to settle the settlement amount to the petitioner. In this regard the management sent a letter to the petitioner on 23.02.2023 through registered

post as well as though courier. She never came forward to receive the settlement amount from management.

The respondent/management never dismissed the petitioner from the service. But she has voluntarily given letter on 05.01.2023 for resignation of her service. Hence the claim petition is liable to be dismissed with cost.

4 In this case, the petitioner has been examined as WW1 and has marked Ex.W1 to W10. Ex.M1 to Ex.M3 are marked during cross examination of WW1. On the side of respondent MW1 has been examined and Ex.M4 and Ex.M5 are marked.

5. **Based on the above pleadings points for consideration are as follows :-**

1. Whether petitioner had been terminated from service on 06.01.2023 by respondent/management ?
2. Whether petitioner has voluntarily resigned from service as alleged by respondent?
3. Whether petitioner is entitled to the relief as prayed for ?
4. To What other relief ?

Answer to the Issues No. 1 to 4

6. The fact that petitioner was earlier employed under ACL Company and considering her experience she was appointed under respondent from

12.04.2022 and respondent is engaged in readymade garments production are all admitted facts. Under Ex.M2,M3 petitioner has been appointed under respondent is not denied.

7. The petitioner has alleged that she was assured and promised by respondent to be provided with high salary but the respondent/management had not complied with the same. Further she alleges that officer of respondent had teased her by saying" Widow, misbehaved with her and when the same was questioned, without any notice and domestic enquiry, she was terminated from service.

8. Whereas the respondent/management contends that among 1200 workers under respondent/management 80% of employees are female, petitioner due to her age and sickness was not able to fullfill the requirements and for the same she was warned several times and there after she had given her resignation letter Ex.M1 on 05.01.2023 and hence there is no question of any kind of termination whereas it is a case of voluntary resignation.

9. Petitioner has admitted in her cross examination that signature in Ex.M1 resignation was made by her. But the contention of petitioner is that she was forced to sign in blank while paper. At the same time she claims that she was not permitted to read the contents but was made to sign it. In the cross examination petitioner has adduced as follows :-

05.01.2023 தேதியிட்ட அந்த கடிதத்தில் உள்ள கையொழுத்தை எண்ணிடம்

பூர்த்தி செய்யாத வெள்ளை பேப்பரில் பெறப்பட்டது. அந்த கையொப்பத்தை

நான்கு பேர் என்னை மிரட்டி வாங்கினார்கள்.

But in the claim statement petitioner has stated as follows

மனுதாரர் 05.01.2023 ஆம் தேதியன்று எப்போதும் போல் பணி செய்து
கொண்டிருக்கும்போது சுமார் மதியம் 2.00pm மணியளவில் திரு.வெங்கடேசன்,
திரு.கண்ணன் மேற்பார்வையாளர்கள் இருவரும் மனுதாரரை அழைத்து ஏய்
லுசு பைத்தியம், இங்க பாருடி என்று கூறி சபையில் கூற முடியாத
வார்த்தைகளையும் கூறி எங்கள் இருவரையும் மனிதவளத்துறை அதிகாரியிடம்
போட்டு கொடுக்கிறியா என மிரட்டல் தோனியில் கேட்டார். அதற்கு மனுதாரர்
என்னை ஏன் இவ்வாறு நடத்துகிறீர்கள். நான் செய்யும் பணியில் ஏதேனும்
தவறு இருந்தால் கூறவும் அது தவிர வேறு வார்த்தைகளை விடுவது
மனுதாரருக்கு மிகவும் மனவளைச்சலை அளிக்கிறது என்று கூறியுள்ளார்.

அதன்பிறகு மனுதாரை 05.01.2023 ஆம் தேதியன்று மதியம் சுமார் 2.15pm

மணியளவில் திரு.வெங்கடேசன், திரு.கண்ணன் மேற்பார்வையாளர்கள்

இருவரும் எங்களை எதிர்த்து பேசுகிறாயா என கூறி திரு.வெங்கடேசன்

அவர்கள் மனுதாரரை ஒரு பெண் என்றும் பாராமல் மனுதாரரின் வலது கையை அழுத்தமாக பிடித்து இழுத்து மனிதவளத்துறை அதிகாரி திலிப் அவர்கள் முன் நிறுத்தியுள்ளார்.

06.01.2023 ஆம் தேதியன்று காலை 08.01am மணியளவில் மனுதாரர் எப்போதும் போல் எதிர்மனுதாரர் நிறுவனத்திற்குள் சென்று attendance punch வைக்கும் போது மனிதவளத்துறை அதிகாரி திருவேங்கடம் அவர்கள் attendance punch வைக்கக்கூடாது என்றும் மனிதவளத்துறை மேலாளர் திரு.திலிப் அவர்களை பார்க்க வேண்டும் என்று கூறினார்கள்.

அதிகாரி திருவேங்கடம் அவர்கள் காலை சுமார் 8.20 மணியளவில் VISITOR கேபினில் உட்காரு என்று மனுதாரரை பார்த்து கூறினார். மனிதவளத்துறை அதிகாரி திருவேங்கடம், திரு.வெங்கடேசன், திரு.கண்ணன் மேற்பார்சையாளர்கள் அவர்கள் மூன்றுபேரும் மனுதாரரை பார்த்து இந்த பேப்பரில் கையொப்பம் போட்டுவிட்டு போ என்றும் நாளை முதல் உனக்கு பணி கிடையாது என்று கூறினார். மனுதாரரும் பேப்பரை கொடுங்கள் படித்து பார்த்து கையொப்பம் போடுகிறேன் என்று கூறினார். பேப்பரில் கையொப்பம் போடு

இல்லையென்றால் இங்கேயே சாகடித்து விடுவேன் என்று மிரட்டினார்.

மேற்படி பேப்பரில் என்ன எழுதியுள்ளது என்ற விவரம் மனுதாரருக்கு தெரியாது.

In the claim statement petitioner has stated that 06.01.2023 the officials of respondent obtained signature from petitioner by threatening. Further she has stated that she is not aware about the contents in the said letter.

10. Whereas in the cross examinations she has stated she made for signature in blank white paper. She has not stated in the claim statement that she was forced to make her signature in blank white paper.

11. Petitioner has further stated in the claim statement that she had given complaint against officials of respondent on 06.01.2023. To prove the same she has filed copy of the complaint as Ex.W3. The perusal of the same shows that no proof for raising police complaint against respondent officials. In the said police complaint, petitioner has not uttered even a single word that she was forced to sign in papers. In Ex.W3 petitioner has stated as follows

06.01.2023 அன்று என்னை கையெழுத்து போட்டுவிட்டு வெளியே போ
என்றும் கூறி என்னை மாஸ்டர் வெங்கட் மற்றும் கண்ணன் ஆகிய இருவரும்
சேர்ந்து என்னை மிகவும் கேவலமாக பேசி என்னை ஊழியர்கள்
முன்னிலையில் எந்தவொரு காரணமும் இல்லாமல் என்னை
கம்பெனியிலிருந்து வெளியே துரத்திவிட்டனர்.

In the complaint raised before Conciliation Officer under Ex.W4 petitioner has stated as follows

கடந்த 05.01.2023 அன்று மாலை பணிச்சுமையைக்கூட்டிவிட்டு HR முன்னர் மிரட்டும் தோணியில் பேசிவிட்டு கூட்டிசென்றனர். அங்கே HR நீ இங்கே சரியா வேலையே செய்வதில்லையாமே” எனக்கூறிவிட்டு என்னை wait பன்னு எனக்கூறிவிட்டு சென்றுவிட்டனர். நான் மாலை 4.00pm முதல் 7.00pm வரை காத்திருந்து HR வரவில்லை என்பதால் திரும்ப வீட்டிற்கே சென்றுவிட்டேன். பின்னர் மறுநாள் காலை வழக்கம் போல வேலைக்கு வந்தபோது attendance punch வைக்கக்கூடாது என H.R. கூறியதாக கூறி என்னை வெளியே செல்லவும் கூடாது எனக்கூறி என்னை பெண் என்றும் பாராமல் வழிமறித்து நிறுவனத்திலேயே அடைத்துவைத்து ஒரு பேப்ரில் ஏதோ எழுதி வைத்துக்கொண்டு கையெழுத்துப்போடும்படி மிரட்டினார்கள்.

12. Further under Ex.W5,W7 petitioner had addressed a letter on 17.06.2023 though post to the Inspector of police, Sriperumbudur and Deputy Superintendent of police along with Ex.W9, Petitioner has endorsed acknowledgment receipt. The said receipt does not contain any seal or signature of the recipient. Further for the alleged act of misbehaviour said to have

occured on 06.01.2023, Petitioner has raised a complaint under Ex.W9 only on 17.06.2023 as an afterthought.

13. Ex.M1 resignation letter contains the date as 05.01.2023 and not as claimed by her as 06.01.2023. Further the perusal of the same reveals that the same is not obtained is a blank white paper. There are reasonable space between lines in the contents under Ex.M1.

14. Petitioner has stated that she was forced by respondent to sign in Ex.M1 it is not proved by her, when it is denied by respondent/management that they have engaged 1200 workers and 80% of them are female workers. The same is not denied by petitioner. In such circumstances the allegations of petitioner that petitioner was illtreated teased and misbehaved by officials of respondent/management is grave allegations and those allegations are not proved by petitioner. Further petitioner in claim statement and in the dispute raised before the Conciliation Officer has stated she was forced to make her signature in papers, she was not permitted to read and sign the same. Whereas in the cross examination she has stated that she was forced to sign in blank paper. Apart from that she has stated that on 05.01.2023 she was waiting but as there was no reponse she left and came to office on 06.01.2020 and on 06.01.2023 she was forced to sign the paper. Whereas Ex.M1 resignation letter is dated 05.01.2023 and petitioner has admitted her signature in Ex.M1.

15. When petitioner alleges that Ex.M1 resignation letter was obtained from her on force the same is not proved by her. Further when she has been

appointed under respondent only on 12.04.2022 and been removed from service on 05.01.2023, the claim of the petitioner that her request to enhance the salary was not considered by respondent is not acceptable. Ex.M5 the details of payment made by respondent is revealed. Even before completion of one year of service under respondent, her request to consider hike in pay was not considered by respondent is unacceptable. Hence this court considers that petitioner since has raised grave allegations against respondent officials, and it is clear from her own pleadings and evidence there are contra evidence in respect of Ex.M1 resignation letter, this court concludes that there is every possibility of had given Ex.M1 resignation letter by petitioner to respondent. Thereby there is no dismissal or termination of service of petitioner by respondent and it is clear voluntary resignation of service.

16. Even for namesake if it is assumed that Ex.M1 resignation letter has been given by petitioner on threat and force by respondent officials the allegations against officials of respondent by petitioner is touching the modesty of the woman. When petitioner says that officers of respondent shouted against her as விதவை loose, and further had alleged that they have கையை பிடித்து இழுத்து அசிங்கப்படுத்தினார்கள். in such circumstances, reinstating her into service is also not admissible.

17. Hence on analyzing both oral and documentary evidence this court concludes that the plea of the petitioner that Ex.M1 resignation letter was

obtained by force and threat not proved by petitioner whereas the same has been given by her voluntarily.

18. On receipt of the Ex.M1 resignation letter it is admitted that respondent have not paid the settlement amount to petitioner. Under Ex.W7 respondent has sent a letter to petitioner only on 19.04.2023 to receive the settlement amount. On receipt of Ex.M1 resignation letter dated 05.01.2023, the respondent ought to have settled the amount to petitioner, she is legally entitled to, immediately. But the respondent/management had failed to do so. To show their bonafideness atleast they should have deposited the said amount before court atleast, they had failed to do so. From Ex.M5 it comes to know that they have paid salary to petitioner only till December 2022. They have not paid any monetary benefits to petitioner on receipt of Ex.M1 resignation letter. Petitioner has rendered only 8 months of service under respondent/management, considering the same, this court decides that petitioner can be compensated with a meagre amount, in lieu of her claim considering the period of work under respondent and monthly salary received by her. According this court decides issues No.1 to 5.

In the result, petitioner is awarded a lumpsum compensation of Rs.25,000/- (Rupees Twenty Five thousand only) in lieu of her 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.25,000/- (Rupees Twenty Five thousand 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 11th day of May 2026.

Sd/-S.Sujatha
Presiding Officer,
Labour Court,
Kancheepuram.

List of witnesses examined

For the Petitioner/Workman:

W.W.1 M.Shanthi

For the Respondent / Management:

MW1 Thiruvengadam

List of exhibits marked

For the Petitioner/Workman:

Ex.W.1	12.04.2022	Copy of appointment order
Ex.W.2	12.04.2022	Copy of Identity Card
Ex.W3	06.01.2023	Copy of complaint given to the Police Station.
Ex.W.4	20.01.2023	Copy of petition raised before Deputy Commissioner of Labour.
Ex.W.5	27.02.2023	Copy of written statement filed by the respondent/management
Ex.W.6	05.04.2023	Copy of conciliation failure report

Ex.W.7	19.04.2023	Copy of notice sent to the petitioner by respondent/management.
Ex.W.8	17.06.2023	Copy of complaint given to the Inspector of police.
Ex.W.9	17.06.2023	Copy of complaint given to the District Deputy Superintendent of Police with acknowledgment card.
Ex.W.10	April 2022	Copy of salary slip

For the Respondent/ Management:

Ex.M.1	05.01.2023	Original of Resignation letter sent to the respondent/management by the petitioner.
Ex.M.2		Original of Bio Data Sheet.
Ex.M.3	12.04.2022	Original of Employee State Insurance.
Ex.M.4	23.02.2023 19.04.2023	Original of letters sent to the petitioner by the respondent/management.
Ex.M.5	April 2022 to December 2022	Copy of pay slips

Sd/-S.Sujatha
Presiding Officer,
Labour Court,
Kancheepuram.