

**In the Court of Labour Court, Kancheepuram**

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

Wednesday, the 13<sup>th</sup> day of May 2026

**I.D.No.20/2021**

**CNR No.TNKP18-000136-2021**

V.Raji (age 25)  
S/o.Vasudevan,  
No.997, Ponnangkollai,  
Kanchi, Chengam Taluk,  
Thiruvannamalai District.

--- Petitioner / Workman

//vs//

The Management  
Motherson Automotive Technologies  
& Engineering  
(A division of Samvardhana  
Motherson International Limited)  
Pondur Village & Post,  
Thiruperumpudur Taluk,  
Kancheepuram District - 602 105.

--- Respondent/Management

(Amended as per order in I.A.1/2022  
dated 03.09.2022)

This Industrial Dispute came up on 22.04.2026 for final hearing before this court in the presence of M/s.S.Kumarasamy, K.Bharathi, K.Suresh and J.Mohanraj Authorised representative for the Petitioners. M/s.M.Kandasamy and P.Ashok kumar 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 termination of petitioner as illegal and unjustified and to reinstate the petitioner into service, with full back wages and other attendants benefits.

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

Petitioner was appointed as probationer for a period of six months by order dated 01.11.2018. Probation period came to an end on 30.04.2019. Petitioner was made permanent from 02.05.2019. Petitioner's last drawn monthly salary was Rs.10,520/-.

On 03.07.2019 petitioner gave his resignation. The same was not accepted by respondent/management and petitioner was directed to continue his service. Regarding charter of demands, strike notice was issued on 12.08.2019. In consequence to the same, respondent addressed a letter dated 14.08.2019 stating petitioner's resignation has been accepted. Petitioner addressed a letter dated 04.09.2019 denying the resignation.

Petitioner wishes to resign the job as per clause 15(d) of Model standing order, one month notice to be given by petitioner to respondent/management. Petitioner in his letter dated 03.07.2019 has not given one month notice. Till 03.08.2019 petitioner's resignation was not accepted. Petitioner's resignation has been accepted on 14.08.2019 is untrue. Due to involvement in trade union

activity, as an act of victimisation. Petitioner is denied employment. The same amounts to violation of sec.25(F)of ID Act and it amounts to victimisation and unfair labour practice, unjustifiable, unlawful.

On 12.04.2019 dispute was raised before conciliation Officer against termination of service of petitioner. Respondent/management submitted their reply on 10.02.2020. Failure report was issued on 02.03.2020. In furtherance of the same this dispute is raised.

Due to non-employment, petitioner is put to hardship. Hence this dispute to decide the termination of service of petitioner as illegal, and to direct the respondent to reinstate the petitioner into service with continuity of service, back wages, and all other attendant benefits.

**3. The averments in the Counter 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.

Petitioner was appointed as associate under respondent/management and he has given his resignation letter dated 03.07.2019. By letter dated 14.08.2019 the same was accepted and was issued with a service Certificate. Petitioner thereafter stopped reporting to work. Petitioner has received a sum of Rs.25,321/- towards full and final settlement.

Petitioner continued his service till 14.08.2019 due to administrative

reasons. Petitioner sent a letter dated 04.09.2019 after cessation of service under respondent/management and it is irrelevant. Respondent is governed by Certified Standing Order. As on 14.08.2019, employer-employee relationship has come to an end. Resignation by workman would not amount to retrenchment in terms of sec.2(oo) of ID Act. No violation of sec.25(F) of ID Act.

Reason given by petitioner for the delay in filing the claim statement is not genuine. Resignation will not amount to non employment. To dismiss this Industrial Dispute.

4. In this case, On the side of respondent MW1 has been examined and Ex.M1 to Ex.M8 are marked. On the other side the petitioner has not let in oral and documentary evidence.

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

1. Whether petitioner had been terminated from service by respondent/management as an act of victimisation as claimed by petitioner ?
2. Whether petitioner is entitled to the relief as prayed for ?
3. To What other relief ?

**Answer to the Issues No. 1 to 3**

6. Petitioner has not come forward to let in oral or documentary evidence. Petitioner in his claim statement has stated that he has given him resignation letter dated 03.07.2019, but petitioner was permitted to continue his service, after issuance of strike notice dated 12.08.2019, as an act of victimisation, he was intimated under letter dated 14.08.2019, stating his resignation has been accepted and the same amounts to termination of service.

7. On the other side the respondent/management to disprove the claim of the petitioner has examined, its General Manager Human Resources. Thiru.Ramana as MW1 and has produced the certified Standing Order as Ex.M1, the order appointing petitioner as trainee associate as Ex.M2, Appointment order dated 01.04.2018 as Ex.M3, the resignation letter given by petitioner on 03.07.2019 as Ex.M4, and acceptance of the same as Ex.M5, Service certificate issued to petitioner as Ex.M6, Full and final settlement made to petitioner as Ex.M7. The genuineness of all these documents are not denied by petitioner. The contention of the petitioner is that his resignation letter was not accepted immediately, he was permitted to continue his service and further has stated that the resignation letter does not contain the one month notice period. Whether the said contention of petitioner is acceptable to be looked into.

**8. Clause 28 of the Certificate Standing Order reads as follows**

Workman other than those who have executed bonds to serve the company for a specified period, who wish to leave the company's service must give the company one month's notice as per their terms of appointment. The management may at its discretion accept the resignation of the workman with immediate effect or from any date before the expiry of the notice period in which case he will be paid only for the period he actually works.

9. Perusal of Ex.M4 Resignation letter reveals that it is dated 03.07.2019 and petitioner has requested to relieve him soon. On receipt of the same, had been accepted on the same date and had been forwarded to HR department. As per clause 28(9) of Certified Standing Order notice period for resignation is one month. Under Ex.M5 resignation has been accepted on 14.08.2019(ie) after one month notice period. Without protest petitioner has also received the service Certificate Ex.M6 and full and final settlement under Ex.M7.

10. When it is denied by respondent/management that show cause notice dated 12.08.2019 was not issued and petitioner is not related to the said strike notice and petitioner is not one among the 51 workers who had gone on strike, then burden is on the petitioner to prove that as an act of victimisation, for taking part in strike, he was victimised by way of accepting the resignation belaterly. But petitioner failed to prove his claim through oral or documentary evidence.

11. On the other side respondent/management has disproved the claim of the petitioner by producing Ex.M4 resignation letter, Ex.M5 accepting the same by way of issuing service certificate and by making full and final settlement.

12. Full and final settlement had been made on 14.08.2019. Petitioner after accepting the same without protest, has raised a dispute before Conciliation Officer during November 2019. When petitioner himself has claimed that he had given his resignation and as it is not the case of petitioner that the same had been obtained on force, and when petitioner has not come forward to let in evidence in favour of his claim, this court decides that petitioner is not entitled for any of the relief as claimed by him and thereby this Industrial dispute stands dismissed.

In the result this Industrial dispute is dismissed. Parties to bear their own cost.

Dictated to the steno typist, directly typed by her, corrected and pronounced by me in the open court, this the 13<sup>th</sup> day of May 2026.

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

**List of witnesses examined**

**For the Petitioner/Workman:** Nil

**For the Respondent / Management:**  
MW1 Ramana

**List of exhibits marked****For the Petitioner/Workman:** Nil**For the Respondent/ Management:**

Ex.M.1	29.11.2011	Copy of Certified Standing Orders
Ex.M.2	04.04.2018	Copy of Trainee Associate letter
Ex.M.3	01.11.2018	Copy of appointment letter
Ex.M.4	03.07.2019	Copy of resignation letter
Ex.M.5	14.08.2019	Copy of resignation Acceptance letter
Ex.M.6	14.08.2019	Copy of service certificate
Ex.M.7	---	Copy of full and final settlement
Ex.M.8	17.06.2025	Original of Authorisation letter

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