

**BEFORE THE PRINCIPAL LABOUR COURT, VELLORE.
VELLORE DISTRICT.**

**PRESENT : Tmt.S.Uma Maheswari, M.L.,
Presiding Officer.**

Friday, the 27th day of January, 2026

I.A. No.1/2026

IN

I.D. No.44/2025

P.Sangeetha Daniel,
W/o. Saravanan,
No.66, Ashokar Street,
Edayasathu, Bagayam,
Vellore.

.....
Petitioner

// Versus //

The Management,
Campus Kids Corner,
Christian Medical College Campus,
Bagayam, Vellore.

.....
Respondent

This Petition came up for hearing on 18.02.2026 in the presence of Thiru.A.Suresh Babu, the Authorized Representative appearing for the Petitioner and M/s.M.R.Ramanan & Associates, for the respondent. Upon hearing the arguments of both sides, perusing the entire material case records and having stood over for consideration till this date, this Court delivered the following:-

ORDER

Petitioner filed this petition under Section-11 of Industrial Disputes Act, 1947 praying to direct the respondent management to reinstate the petitioner as Senior Steno with the same duties and responsibilities as existed before her denial of employment.

1. **Petition averments in-brief:-**

The petitioner averred that she was orally denied employment on 13.07.2024 by the respondent and therefore she filed the above Industrial Disputes Petition seeking reinstatement with back wages and other benefits.

The petitioner further states that in the above case, she was examined as WW1 and documents Ex.W1 to W7 were marked. On 19.01.2016 the petitioner was cross-examined by the respondent counsel and after completion of cross-examination the respondent counsel informed that the management is ready to give work to the petitioner as Senior-Steno at the same work place, with the same duties and responsibilities.

The petitioner further states that now she is ready and willing to join duty as Senior-Steno with the same duties and responsibilities to which she was holding at the time of denial of employment. Therefore she requested this court to give a direction to the respondent management to reinstate her as a Senior Steno with the same duties and responsibilities.

Hence, the petitioner has filed this application and prays this court to allow the application.

2. **Counter averments in-brief :-**

The respondent in their counter states that the interim application is not maintainable either in law or on the facts of the case. The respondent denies the allegation of oral denial of employment on 13.07.2024 as alleged in this application.

The respondent further states that they have specifically denied the allegation of non-employment in their counter filed before the Conciliation Officer as well as in the written statement filed before this court and it was not stated for the first time after the cross examination as claimed in this application.

The respondent further states that in para.15 of the written statement they specifically averred that the petitioner is free to report back to work. But the petitioner did not evince interest in reporting to work voluntarily. Further they have a play school only with LKG and UKG children and the position of the Senior Steno in a school comprises various duties and responsibilities which supports the administrative work.

The respondent further states that the petitioner cannot impose a condition of employment for having raised in Industrial Dispute and to misuse the jurisdiction of this court as a protective device. Further the petitioner is at liberty to resume her duties as Senior Steno and the respondent reserves the right to modify her designation and responsibilities as necessary to ensure administrative efficiency and operational requirements. Hence, the respondent prays to pass necessary orders in the interest of justice.

3. Now the point for consideration is **‘whether this petition is liable to be allowed or not’?**

4. **POINT:-**

After hearing both the counsels, after perusing the petition and counter, this court comes to know that the present petitioner has approached this court for reinstatement on the ground of denial of employment.

On contrary the respondent alleged that they never denied employment to the petitioner and she alone had failed to report to work from 13.07.2024. The respondent further alleged that during the course of conciliation the Assistant Commissioner of Labour had informed the petitioner to report back to work, but instead of reporting to work she insisted upon the issuance of failure report to her.

The respondent further alleged that she had been repeatedly called upon to report back to work, but she never showed interest. Now the petitioner is imposing condition of employment and trying to misuse the jurisdiction of this court as a protective device and hence requested for the dismissal of this petition.

The reason for filing this Industrial Dispute as per the claim statement averment is that the present petitioner who had been working as a Senior-Steno in the respondent school, had been regularly pressurized by the Headmistress one Mrs. Ann Arul Dass. The petitioner also alleged that the said Headmistress informed her orally about the decision of management in respect of the denial of employment to her and therefore the present petition.

Further it was alleged by the petitioner that during the conciliation talks before the Assistant Commissioner of Labour, the

management had provided an alternative job to the petitioner. But the placement in which the management was to provide job is below the rank of the post held by her. Therefore she refused the above proposal of the management and on the basis of the failure report she has approached this court.

Before this court the Enquiry was commenced and during the cross examination, the management further informed before this court that they are ready to reinstate the petitioner and she can report back to work as mentioned by them in the written statement. After this information given by the management through their counsel, the petitioner has filed this petition and requested this court to direct the management to reinstate her in a position of Senior Steno with the same duties and responsibilities held by her at the time of denial of employment.

On the other hand, the management contended that the petitioner is at her liberty to resume her duties as a Senior Stenographer, but she cannot impose any condition on the nature of employment. Further the respondent also reserves the right to modify her designation as necessary to ensure administrative efficiency and operational requirements.

This court is of the view that the petitioner who joined as a Stenographer on 08.04.2003 in the respondent, now after a period of 22 years of service has reached the position of Senior Stenographer. Now she apprehends that the management may direct her to perform work which could be lower than her original work position and for that reason alone she is imposing the condition. The court cannot impose such type of condition to the employees for the reason that if any such

condition is imposed as per her request, there is every possibility on the side of the petitioner to deny and refuse to do the works as directed by the management at their administrative convenience.

At the same time, on the side of management there exists every possibility to adopt unfair labour practice or victimization on the petitioner. Admittedly the respondent is running a play school only for LKG and UKG Children and under such circumstances if any condition is imposed by this court the petitioner may use this order as a shield. Thus this court is directing the management to reinstate her in the position of senior-stenographer with the same duties and responsibilities as admitted by them in the written statement. Further the respondent is also at their liberty to modify the petitioner's designation and responsibilities as necessary to ensure administrative efficiency and operational requirements whenever needed. At the same time, the respondent should not alter her designation to a lower position.

With the above observations this petition is allowed. The petitioner is directed to report back to duty on 09.03.2026 and to report about her joining call on 12.03.2026.

Dictated to the Steno-Typist, typed directly in the computer, corrected and pronounced by me in the Open Court, on this the 27th day of February, 2026.

**Presiding Officer,
Principal Labour Court,
Vellore.**