



WEB COPY



W.P.No.8527 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.06.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.8527 of 2021
and WMP.No.9082 of 2021

The Management
MRF Limited
Thiruthani Road
Ichiputhur
Arakonam - 631 003
Rep by its General Manager

... Petitioner

Vs

S.Murali

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records of the Industrial Tribunal, Tamil Nadu, Chennai in Approval Petition No.49 of 2011 and quash its order dated 11.03.2020.

For Petitioner : Mr.Anand Gopalan
for M/s.T.S.Gopalan and Co.

For Respondents : Mr.V.Prakash, Senior Counsel
for Mr.K.Sudalai Kannu



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ORDER

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The petitioner-Management has challenged the order dated 11.03.2020 passed by Industrial Tribunal, Chennai in Approval Petition No.49 of 2011, in and by which, the Tribunal had held that the findings of the Enquiry conducted by the petitioner Management, against the respondent/workman is not fair and proper.

2. Admittedly, as seen from the impugned order, the contentions of the respective parties to the dispute viz., the petitioner as well as the respondent, have not been considered. Further this issue has already been considered by this Court and orders were passed in W.P.No.8364 of 2021. By consent of the respective parties, the following directions were issued in W.P.No.8364 of 2021:-

i) The impugned order dated 11.03.2020 passed by the Industrial Tribunal, Chennai in Approval No.49 of 2011, in which, it has been held that the Enquiry conducted by the petitioner Management against the respondent /workman is not fair and proper is hereby quashed, and the matter is remanded back to the Industrial Tribunal, Chennai for fresh consideration



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on merits and in accordance with law within a time frame to be fixed by this Court.

ii) The Industrial Tribunal, Chennai shall pass final orders on merits and in accordance with law on the preliminary issue as to whether the Enquiry has been conducted in a fair and proper manner or not after giving due consideration to the contentions of the respective parties by a speaking order within a period of four weeks from the date of receipt of a copy of this order.

3. This Court is not expressing any opinion on the merits of the respective contentions. On the basis of the representation of both counsels that the very same issue is involved in the instant case, the same directions are issued.

4. In the light of the aforesaid direction, the writ petition is disposed of and the order passed by the Industrial Tribunal, Chennai, in Approval Petition No.49 of 2011 is set aside and the matter is remitted back to the Tribunal for fresh consideration. The parties shall be permitted to adduce evidence. The Tribunal shall endeavour to dispose of the proceedings



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within three months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes / No

Neutral Citation : Yes / No

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To:

The Industrial Tribunal
Chennai.



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P.T. ASHA, J.

ds

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20.06.2025