



WEB COPY

WMP No. 18457 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-04-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

**WMP No. 18457 of 2026
IN WP NO. 17180 OF 2026**

The Manager
Tata Coffe Limited,
Valparai Estate,
Old Valparai B.P.O. -642 127

..Petitioner(s)

Vs

Sri.K.Jeyaraj
No.54916, (PF No.12878)
Valparai Estate,
Tata Caffee Limited,
Old Valparai -B.P.O. 642 127

..Respondent(s)

For Petitioner(s):

Mr. Sai Srujan Tayi

ORDER

The present writ petition is filed challenging the order dated 23.03.2026 passed by the Industrial Tribunal in Approval Petition No.3 of 2025 whereby the Tribunal erroneously refused to grant approval under Section 33(2)(b) of ID Act and directed reinstatement of the respondent with back wages.

2. The learned counsel for the petitioner submitted that the impugned order is ex-facie illegal, without jurisdiction and contrary to the statutory scheme of the POSH Act. Section 13(4) of the POSH Act mandates the employer to act on the



ICC's findings within 60 days. The Tribunal's view that the employer must wait for 90 days renders Section 13(4) and introduces conditions not contemplated under law.

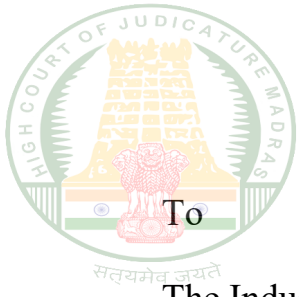
3. The respondent was dismissed from service on 04.02.2025 following ICC findings of sexual harassment at this stage, when the fairness of the enquiry is not in dispute, would cause irreparable hardship to the petitioner management and defeat the object of the POSH Act. The balance of convenience is in favour of granting interim protection.

4. There shall be an order of interim stay of the impugned order dated 23.03.2026 passed by the Industrial Tribunal in Approval Petition No.3 of 2025 pending disposal of the writ petition. Consequently, the direction for reinstatement of the respondent with back wages shall remain stayed until further orders. The interim order is subject to the final outcome of the writ petition and without prejudice to the contentions of both parties.

5. Post the matter for final hearing after four weeks. Notice to the respondent returnable by then.

29-04-2026

rli



To

The Industrial Tribunal,
Chennai.

WMP No. 18457 of 2





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WMP No. 18457 of 2



M.DHANDAPANI, J.

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