

W.P(MD)No.17112 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.17112 of 2025

and

WMP (MD) Nos.12974 of 2025 and 14369 of 2026

The Management
The Tamil Nadu State Transport
Corporation (Tirunelveli) Limited,
19, Trivandram Road,
Tirunelveli – 627 003.

... Petitioner(s)

vs.

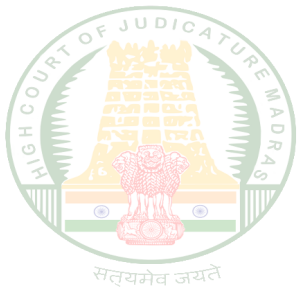
M.Kalipandian

... Respondent(s)

PRAYER : Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorari, to call for the records relating to the impugned order made in Claim Petition No.22 of 2018 dated 08.08.2024 on the file of the Labor Court, Tirunelveli and quash the same.

For Petitioner : Mr. D.Jebaraj

For Respondent : Mr.M.Kumar



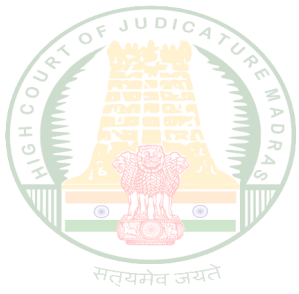
W.P(MD)No.17112 of 2025

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ORDER

Challenging the order dated 08.08.2024 rejecting Claim Petition No. 22 of 2018 on the file of the Labour Court, Tirunelveli, the present writ petition has been filed by the petitioner.

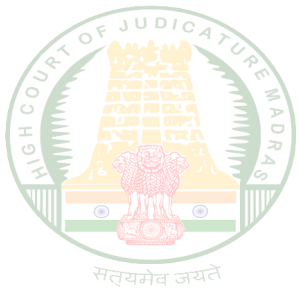
2. The case of the petitioner Management is that the respondent was engaged only as a temporary employee. The respondent raised an industrial dispute in I.D. No.15 of 2012 on the file of the Labour Court, seeking conferment of permanent status, reinstatement with continuity of service and back wages, alleging that he had been orally terminated from service in the year 2011. The Labour Court, by its award, allowed the industrial dispute and directed the petitioner Management to confer permanent status on the respondent with continuity of service and back wages. Aggrieved by the said award, the petitioner Management filed W.P.(MD) Nos.9063 and 9066 of 2013 before this Court. Simultaneously, the respondent-workman also filed W.P.(MD) Nos.15918 and



W.P(MD)No.17112 of 2025

WEB COPY 15919 of 2012 seeking implementation of the award. The writ petition filed by the workman was allowed, whereas the writ petition filed by the petitioner Management came to be dismissed. Aggrieved thereby, the petitioner preferred Writ Appeals (MD) Nos.474 to 477 of 2015. The Division Bench allowed W.A. (MD) No.474 of 2015 and in respect of W.A.(MD) No.477 of 2015, this Court remanded the matter to the learned Single Judge for fresh consideration. Thus, the question relating to the employer-employee relationship and the respondent's entitlement to permanent status remained pending for adjudication. During the pendency of the said proceedings, the respondent-workman filed a computation petition under Section 33-C(2) of the Industrial Disputes Act, claiming bonus for the period from April 2014 to March 2015 and the same was allowed. Aggrieved by the same, the present writ petition has been filed by the petitioner management.

3. The learned counsel for the petitioner/management would submit that when the very entitlement of the respondent and the existence of the employer-employee relationship were sub judice before this Court, the Labour Court had no jurisdiction to entertain or allow the computation petition under



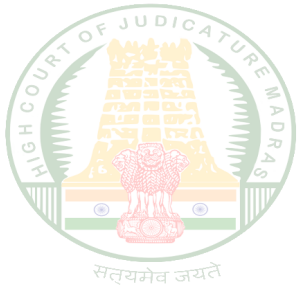
W.P(MD)No.17112 of 2025

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Section 33-C(2), since proceedings under Section 33-C(2) are in the nature of execution proceedings and cannot be invoked to adjudicate disputed rights. Therefore, the impugned order passed by the Labour Court allowing the computation petition is unsustainable in law and liable to be set aside.

4. Per contra, the learned counsel appearing for the respondent-workman fairly submitted that, if the impugned order is set aside, this Court may grant liberty to the respondent to file a fresh computation petition, if so advised, depending upon the final outcome of the proceedings relating to his status and entitlement.

5. Recording the said submission, the impugned order dated 08.08.2024 passed in the computation petition is set aside. However, liberty is granted to the respondent-workman to file a fresh petition under Section 33-C(2), if he becomes entitled to the monetary benefits pursuant to the final adjudication of the pending proceedings.



W.P(MD)No.17112 of 2025

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6. Accordingly, the writ petition stands allowed. No costs. Connected miscellaneous petitions are closed.

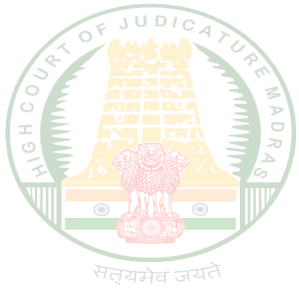
15.07.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes
PKN

Note: Issue order copy today.

To

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19, Trivandram Road,
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W.P(MD)No.17112 of 2025

M.DHANDAPANI,J.

PKN

**ORDER MADE IN
W.P(MD)No.17112 of 2025**

DATED : 15.07.2026