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Rev.Aplw.No.107 of 2026 etc.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 04.08.2026
DELIVERED ON : 07.08.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,
CHIEF JUSTICE

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

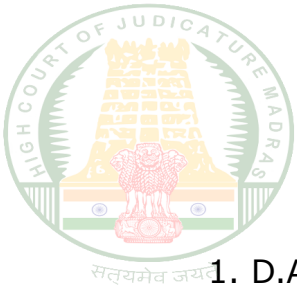
Rev.Aplw.No.107 of 2026
and W.M.P.Nos.25117 and 25503 of 2026

Rev.Aplw.No.107 of 2026:

1. Metropolitan Transport Corporation
Oozhiyar Munnetra Sangam
Rep by T.Saravanakumar
General Secretary, Pallavan Salai
(Near Kalaiarangam) Chennai-600002.
2. T.Saravanakumar
General Secretary
Metropolitan Transport Corporation
Oozhiyar Munnetra Sangam
Pallavan Salai (Near Kalaiarangam)
Chennai-600002.
3. K.Srinivasan, Treasurer
Metropolitan Transport Corporation
Oozhiyar Munnetra Sangam
Pallavan Salai (Near Kalaiarangam)
Chennai-600002.

Applicant(s)

Vs



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1. D.Arumugam
General Secretary
Metropolitan Transport Corporation
Oozhiyar Munnerta Sangam
Pallavan Salai (Near Kalaiarangam)
Chennai-600 002.
2. Union of India
Rep by its Secretary
Ministry of Labour and Employment
Shram Shakti Bhavan, Rafi Marg
New Delhi-110 001.
3. Government of Tamilnadu
Rep by its Secretary
Department of Labour and
Skill Development, Fort St. George,
Chennai-600 009.

Respondent(s)

W.M.P.No.25503 of 2026

D.Arumugam
General Secretary
Metropolitan Transport Corporation
Oozhiyar Munnerta Sangam
Pallavan Salai (Near Kalaiarangam)
Chennai-600 002.

Petitioner(s)

Vs

1. Union of India
Rep by its Secretary
Ministry of Labour and Employment
Shram Shakti Bhavan, Rafi Marg
New Delhi-110 001.



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2. Government of Tamilnadu
Rep by its Secretary
Department of Labour and
Skill Development, Fort St. George,
Chennai-600 009.

Respondent(s)

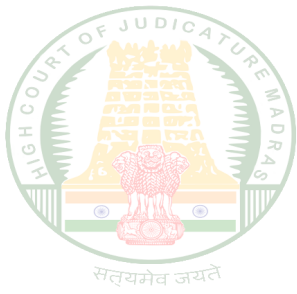
PRAYER in Rev.Aplw.No.107 of 2026: Application filed under Order 47 Rule 1 read with Section 114 of the Civil Procedure Code to review the order dated 27.4.2026 passed in W.P.No.11416 of 2026.

PRAYER in W.M.P.No.25503 of 2026: Petition filed under Article 226 of the Constitution of India to clarify the order dated 27.4.2026 passed in W.P.No.11416 of 2026 with regard to the transfer of O.P.Nos.10 and 11 of 2026 (OS.No.5938 of 2025 and O.S.No. 842 of 2026 on the file of the XVI Assistant City Civil Court, Chennai).

For Review Applicant(s): Mr.V.Prakash, Senior Counsel
for Mr.S. Gokul

For Respondent(s): Mr.K.Sudalai Kannu,
for R1 in Rev.Aplw.No.107 of 2026
and petitioner in
WMP No.25503 of 2026

Mr.AR.L.Sundaresan
Additional Solicitor General of India
asst by Mr.Kumaraguru,
Senior Panel Counsel
for R2 in Rev.Aplw.No.107 of 2026
and R1 in WMP No.25503 of 2026



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Rev.Aplw.No.107 of 2026 etc.

Mr.K.Kumaran
Addl Government Pleader,
for R3 in Rev.Aplw.No.107 of 2026
and R2 in WMP No.25503 of 2026

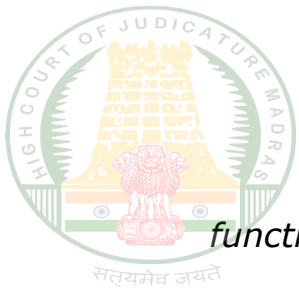
COMMON ORDER

THE CHIEF JUSTICE

This order disposes of Review Application No.107 of 2026 filed by third-party review applicants, as well as W.M.P.No.25503 of 2026 filed by the writ petitioner seeking clarification of the order dated 27.4.2026 passed in W.P.No.11416 of 2026.

2.1. Learned Senior Counsel appearing on behalf of the review applicants, who were not parties to the writ petition, submits that the writ petition was disposed of on the premise that civil court jurisdiction over trade union disputes under Section 22 of the Industrial Relations Code, 2020 (hereinafter "the Code") continues until new Tribunals are constituted under Section 44 of the Code.

2.2. It is submitted that while Section 104(1A) of the Code saves the functioning of "*tribunals and statutory authorities*



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functioning under the Acts so repealed", civil courts do not function under repealed labour laws and, as a consequence, Section 104(1A) of the Code does not preserve civil court jurisdiction over internal trade union disputes.

2.3. It is further submitted that the writ petitioner failed to disclose that dispute proceedings under Section 22 of the Code had already been initiated before the Industrial Tribunal, Chennai, in O.P.No.9 of 2026 and by order dated 9.3.2026 passed in CRP Nos. 1417 and 1422 of 2026, a learned Single Judge of this Court had already held that civil courts lacked jurisdiction over trade union disputes under the new statutory scheme and, as a sequel, the civil suits in O.S.No.842 of 2026 and O.S.No.5938 of 2025 pending on the file of the XVI Assistant City Civil Court, Chennai, were ordered to be transferred to the Industrial Tribunal, Chennai, where, admittedly, they were re-numbered as O.P. Nos.10 and 11 of 2026.

2.4. It is further contended that since the order, which is the subject matter of this review, has a direct bearing on the rights of

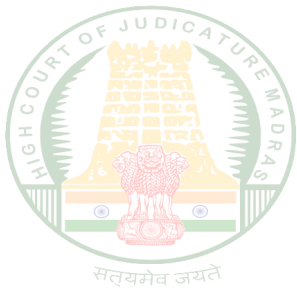


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the review applicants, disposing of the writ petition in their absence prejudiced their rights.

3. Learned counsel for the writ petitioner/petitioner in W.M.P.No.25503 of 2026 submitted that the order of this court dated 27.4.2026 clearly observed that civil courts retain jurisdiction over trade union disputes until newly constituted Industrial Tribunals under the Code become operational and, therefore, he pleads that a direction be issued to transfer O.P.Nos.10 and 11 of 2026 back from the Industrial Tribunal, Chennai, to the XVI Assistant City Civil Court, Chennai, so that the original civil suits may be adjudicated by the civil court.

4.1. Learned Additional Solicitor General appearing on behalf of the Union of India justified the impugned order dated 27.4.2026 and submitted that the legislative intent behind the notifications issued under Section 103 of the Code and the statutory insertion of Section 104(1A) of the Code was to ensure continuous, uninterrupted dispute resolution without creating an adjudicatory vacuum.



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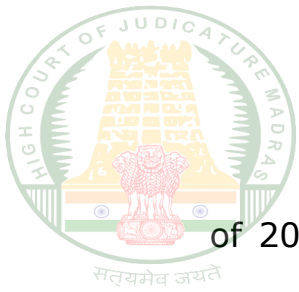
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4.2. It is further submitted that a purposive and harmonious interpretation of Sections 22, 97 and 104(1A) of the Code, alongside Section 6 of the General Clauses Act, 1897, protects ongoing litigations and ensures that litigants are not left without an accessible forum during the transitional period.

4.3. He further submitted that various High Courts have upheld transitional mechanisms that allow existing adjudicatory forums to continue functioning until new statutory authorities are fully operational under the Code.

5. Having considered the submissions on either side, this court notes a crucial factual development that governs the present situation.

6. It is to be noted that prior to the disposal of the writ petition on 27.4.2026, a learned Single Judge of this court had already passed an order dated 9.3.2026 in C.R.P.Nos.1417 and 1422 of 2026. Under that order, the civil suits, namely O.S.No.842



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of 2026 and O.S.No.5938 of 2025 on the file of the XVI Assistant City Civil Court, Chennai, were transferred to the Industrial Tribunal, Chennai, and re-numbered as O.P.Nos.10 and 11 of 2026, where they are presently pending.

7. As the suits have already been transferred to and received by the Industrial Tribunal, Chennai, pursuant to a judicial order in the Civil Revision Petitions, it is neither necessary nor appropriate in these review and clarification proceedings to re-examine or modify the order dated 27.4.2026 passed in W.P.No.11416 of 2026, as any order passed herein would have a direct bearing on the issue, which was the subject matter of the Civil Revision Petitions.

8. Furthermore, the scope of review is very limited. It is well settled that the power of review can be exercised for the correction of a mistake, but not to substitute a view. The review court does not sit in appeal over its own order. A rehearing of the matter is impermissible. It constitutes an exception to the general rule that once a judgment is signed or pronounced, it should not be altered. An error which has to be established by a long-drawn process of



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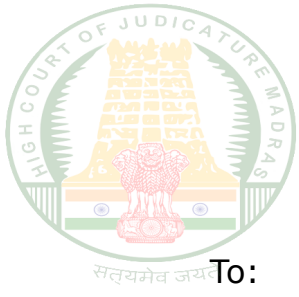
reasoning on points where there may conceivably be two opinions can hardly be said to be an error apparent on the face of the record.

9. In light of the transfer of the suits to the Industrial Tribunal under the order dated 9.3.2026 in C.R.P.Nos.1417 and 1422 of 2026, all procedural and legal issues raised by the parties regarding forum jurisdiction under the new Code are left open to be decided in an appropriate proceeding.

Accordingly, the review application and W.M.P.No.25503 of 2026 seeking clarification are dismissed. It is made clear that all legal questions regarding jurisdiction and statutory interpretation under the Industrial Relations Code, 2020, remain open for adjudication in appropriate proceedings. There shall be no order as to costs. Consequently, W.M.P. No.25117 of 2026 stands closed.

(SUSHRUT ARVIND DHARMADHIKARI,CJ) (G.ARUL MURUGAN,J)
07.08.2026

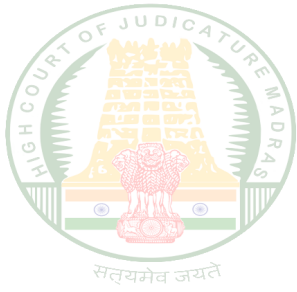
Index : Yes/No
Neutral Citation : Yes/No
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To:
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Ministry of Labour and Employment
Shram Shakti Bhavan, Rafi Marg
New Delhi-110 001.
2. The Secretary,
Government of Tamilnadu
Department of Labour and
Skill Development, Fort St. George,
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THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN,J.

(sasi)

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and W.M.P.Nos.25117 and 25503 of 2026

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