

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 05-08-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.8481 OF 2002

Bharathiyar University Staff Co-operative
Thrift and Credit Societies Ltd.,
Coimbatore-46,
represented by its Special Officer ...

Petitioner

-vs-

1.Deputy Commissioner of Labour,
Appellate Authority under Tamil Nadu
Payment of Subsistence Allowance Act,
Coimbatore.

2.Assistant Commissioner of Labour,
Authority under Tamil Nadu Payment
of Subsistence Allowance Act,
Coimbatore-9.

3.M.Ilankumaran ...
(R3-Dismissed vide this Court order
dated 08/9/09)

Respondents

Writ Petition has been filed, praying for issuance of a writ of certiorari, to call for the records of the first respondent made in A.P.S.A.6/2001, dated 30.11.2001, confirming the order of the second respondent made in PSA.12/99, dated 13.10.2000.

For petitioner : Mr.S.Silambanan,
Senior Counsel for Mr.N.Umapathi

For respondents 1 & 2: Mr.V.Subbiah,
Spl.Govt.Pleader.

WEB COPY
O R D E R

This Writ Petition was posted on 08.09.2009 in the list, as "batta not paid", to serve on third respondent/private respondent. On that day, this Court directed the advocate concerned to pay batta on or before 01.10.2009 and file proof of compliance, and also observing, that failing which, the petition shall stand dismissed automatically without reference to the Court, and if the batta has not been paid as directed, the writ petition should be listed on

06.10.2009 for recording dismissal, and even on that day, batta had not been paid. In the light of the same, the Writ Petition against the third respondent has been dismissed.

2. Heard the submissions of the learned Senior Counsel appearing for the petitioner, who would submit that the third respondent was the Secretary of the Co-operative Society and, therefore, he is not entitled to the benefits of Payment of Subsistence Allowance Act.

3. However, in view of the fact that the Writ Petition as against the contesting respondent, namely, third respondent has been dismissed, nothing survives for adjudication as on today. Accordingly, this Writ Petition is dismissed. No costs. However, it is open to the petitioner-management to revive this Writ Petition, as and when occasion arises, in accordance with law.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

To

1. Deputy Commissioner of Labour,
Appellate Authority under Tamil Nadu
Payment of Subsistence Allowance Act,
Coimbatore.
2. Assistant Commissioner of Labour,
Authority under Tamil Nadu Payment
of Subsistence Act,
Coimbatore-9.

सत्यमेव जयते

+1 cc to Mr.N.Umapathi Advocate sr.40568

WEB COPY

W.P.No.8481/2002

msm(co)
aa26/08/2015