

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.34916 of 2015

M.Chandran

...Petitioner

-Vs-

1 The Secretary to
Government of India Ministry of Labour and
Employment Shram Shakthi Bhavan Rafi Marg
New Delhi-110001.

2 The Regional Labour
Commissioner Central Chennai. ...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent to consider and pass orders on the application dated 16.02.1014 on merits by referring necessary adjudication of the same.

For Petitioner : Mr.L.Chandrakumar

For R1 : Mr. Su.Srinivasan
Assistant Solicitor General

For R2 : Mr.S. Gunasekaran

सत्यमेव जयते
O R D E R

By consent, this Writ Petition is taken up for final disposal.

2. The petitioner got an award in C.C.No.13/1998 towards backwages and it was put to challenge in W.P.No.40401 of 2002 by the Divisional Manager, Railways and this Court vide order dated 11.06.2007 directed the petitioner therein to raise an Industrial Dispute before the competent authority for the purpose of quantification of the said backwages.

3. The petitioner aggrieved by the said order filed an appeal in W.P.No.19 of 2010 and it was dismissed on 22.4.2010.

Thereafter, the petitioner has filed an application under Section 10(2) of the Industrial Dispute Act, 1947. Since no orders have been passed, came forward to file this writ petition.

4. This Court heard the submissions of the learned counsel for the petitioner and Mr.Su.Srinivasan learned Assistant Solicitor General of India, who accepts notice on behalf of R1 and Mr.S.Gunasekaran, learned Government Advocate, who accepts notice on behalf of R2.

5. This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into the merits of the case, directs the first respondent to consider and dispose of the application filed by the petitioner under Section 10(2) of the Industrial Dispute Act, 1947 and pass orders on merits and in accordance with law within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

6. This Writ Petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

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To

1 The Secretary to
Government of India, Ministry of Labour and
Employment Shram Shakthi Bhavan Rafi Marg
New Delhi-110001.

2 The Regional Labour
Commissioner Central Chennai.

+1 cc to Mr.L.Chandrakumar, Advocate, sr.59615

+1 cc to Government Pleader, sr. 59845

W.P.No.34916 of 2015

ad co
kra 27.11.2015