

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.2221 to 2229 of 2006

The Tiruchengode Automobile
Spare Parts Co-operative Stores Ltd.,
rep.by its Special Officer
Sankari Road, Tiruchengode
Namakkal DistrictPetitioner in all the writ petitions

-vs-

The Presiding Officer
Labour Court, Salem1st respondent in all the writ petitions

M.Barani2nd Respondent in W.P.No.2221 of 2006
V.Murugesan2nd Respondent in W.P.No.2222 of 2006
N.Murugesan2nd Respondent in W.P.No.2223 of 2006
P.Natrajan2nd Respondent in W.P.No.2224 of 2006
N.Rajaganapathi2nd Respondent in W.P.No.2225 of 2006
M.Selvaraj2nd Respondent in W.P.No.2226 of 2006
R.Manivel2nd Respondent in W.P.No.2227 of 2006
R.Murugan2nd Respondent in W.P.No.2228 of 2006
M.Boopathy2nd Respondent in W.P.No.2229 of 2006

Petitions under Article 226 of the Constitution of India,
praying for the issue of a Writ of Certiorari, calling for the
records of the first respondent in claim petition Nos.750, 753, 752,
754, 744, 747, 748, 751, 755 of 1998 respectively dated 18.7.2000 and
quash the same.

For Petitioner : Mr.M.S.Palaniswamy
For Respondents : R1-Court
Mr.K.V.Shanmuganathan for R2
in W.P.Nos.2222 to 2227 of 2006
No appearance for R2 in
W.P.Nos.2221, 2228 & 2229 of 2006

ORDER

When the writ petitions were taken up, Mr.M.S.Palaniswamy, learned counsel for the petitioner society, placing on record the letter dated 28.11.2014 issued by the clerk of the society, submitted that the petitioner society is no more in existence, since it is dormant and inactive. That apart, the petrol and diesel bunk as well as spare parts stores had also been closed, therefore, it will not be possible to implement the impugned award.

2. Learned counsel appearing for the contesting second respondent in each of the writ petitions submitted that his clients may be accommodated in other societies, for which also Mr.M.S.Palaniswamy replied that there is no other society available to consider the request of the contesting respondents.

3. As each of the contesting second respondent in the writ petitions, admittedly, has not claimed the relief of reinstatement, but only the relief of payment of wages on the basis of the settlement dated 29.10.90 entered into under Section 12(3) of the Industrial Disputes Act, 1947, accepting the letter dated 28.11.2014 and placing the same on record, the writ petitions cannot be prosecuted and they shall stand dismissed, since the petitioner society is no more in existence. Consequently, interim order stands vacated and the W.P.M.P.Nos.2495, 2497, 2499, 2501, 2503, 2505, 2507, 2509 & 2511 of 2006 are also dismissed. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

The Presiding Officer
Labour Court, Salem

TS (CO)
PSI (13.03.2015)

W.P.Nos.2221 to 2229 of 2006
and connected WPMPs.