



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 27.07.2015

CORAM:

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN

WEB COPY

W.P. (MD) No.13039 of 2015

S.Thulasi ... Petitioner

Vs.

The President,
Y-115, Puliyoor Salai Labour Contract Cooperative Society,
ManCode - 269 152,
Kanyakumari.

... Respondent

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to implement the order passed in Na.Ka.No.1311/ 2014 dated 31.12.2014 by the Inspector of Labour, Nagercoil.

For Petitioner : Mr.K.Esakki

For Respondent : Mr.K.P.Krishnadoss, G.A.

ORDER

The petitioner has filed the present Writ petition seeking an order for issuance of a Writ of Mandamus, directing the respondent to implement the order passed in Na.Ka.No.1311/2014 dated 31.12.2014 by the Inspector of Labour, Nagercoil.

2.This Court is not inclined to go into the merits of the case, as the maintainability of the writ petition itself is doubtful, in the light of the larger bench judgment in (K.Marappan Vs. The Deputy Registrar of Co-operative Societies, Namakkal Circle, Namakkal-636 001 and another) reported in (2006 (4) CTC 689).

3.However, the petitioner has not availed the alternative remedy. If the orders of the Inspector of Labour is not implemented, Sections 6 and 8 of the Tamil Nadu Industrial Establishment (Conferment of Permanent Status) to Workmen Act, 1981 come to the rescue of the petitioner. As the order is in force, it is open to the petitioner to make necessary complaint before the Government and if any such complaint is made, the Government will take steps and the petitioner is directed to work out his remedy before the appropriate forum. It is also represented that the Government has initiated action. It is also brought to the notice of this Court that the order of the authority, under the said Act, has become final and the same has not been questioned by the respondent.



4. In view of the above observation, the Writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar (Record)

/True copy/

Sub Assistant Registrar

To
The President,
Y-115, Puliyoore Salai Labour Contract Cooperative Society,
Mancode - 269 152,
Kanyakumari.

+1cc to MR.K.ESAKKI, ADVOCATE, SR NO.42009
+1CC TO SPECIAL GOVERNMENT PLEADER SR NO.41989

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RG.19.08.2015 2P/4C