

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2016

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P No.25372 of 2016
and WMP Nos.21671 & 21672 of 2016

The Management of
NPS Constructions
No.359/172, Avvai Shanmugam Salai,
Lloyds Villas, Gopalapuram,
Chennai - 600 086.

Petitioner

Vs

1.Principal Secretary &
Commissioner of Labour,
Government of Tamil Nadu,
Fort St. George,
Chennai.

2.The Presiding Officer,
Second Addl. Labour Court,
City Civil Court Buildings,
Chennai.

3.N.Ramamoorthy

Respondents

Writ Petition is filed under Article 226 of the constitution for issuance of writ of mandamus calling for the records in the ex-parte award dated 12.05.2014 made in CP No.468 of 2013 on the file of the Respondent No.2 and quash the same and consequently forbear the Respondent No.3 from taking any proceedings in pursuance of the ex-parte award.

For Petitioner : No appearance

For R-1 : Mr.T.M.Pappiah,
Special Govt. Pleader

For R-2 : Court

For R-3 : Mr.P.Solomon

O R D E R

The petitioner has challenged the ex-parte award dated 12.05.2014 made in CP No.468 of 2013 stating that he is not the person who conducted the company. If it is so, the petitioner should have approached the tribunal and put forth his case. Without doing that, he has allowed the tribunal to pass an ex-parte award, that too in the year 2014. Hence, it is not open to the petitioner to challenge the award when EP proceedings have already been initiated by the respondents. Moreover, the petitioner has not come forward to appear before this court, inspite of printing his name and new counsel also absent for the past two occasions.

2. In view of the above circumstances, the writ petition is dismissed on merits. No costs. Consequently, connected WMPs are closed.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

rgr
To

1.The Principal Secretary &
Commissioner of Labour,
Government of Tamil Nadu,
Fort St. George, Chennai.

2.The Presiding Officer,
Second Addl. Labour Court,
City Civil Court Buildings,
Chennai.

+1cc to Mr.P.Solomon, Advocate Sr.64812
+1cc to the Government Pleader sr.64970

W.P No.25372 of 2016

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