

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2016

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE M. VENUGOPAL

W.A. No.121 of 2016 and C.M.P. No.1744 of 2016

The Secretary
Ranipet Labour Union
No.17, Mahatma Gandhi Road
Ranipet 632 401, Vellore District

Appellant

Vs.

1 The Management
ROCA Bathroom Products Private Ltd.
No.11, Mahatma Gandhi Road
Ranipet, Vellore District
represented by its Vice President - Operations

2 The Presiding Officer
Principal Labour Court
Vellore

Respondents

Writ Appeal preferred under Clause 15 of the Letters Patent
challenging the order dated 04 November 2015 passed in M.P. No.1
of 2015 in W.P. No.34061 of 2015.

WP.No.34061 of 2015: To issue a Writ of Certiorari calling for
records from the 1st Respondent in I.A.No.223 of 2015 and
I.D.No.163 of 2014, quash the Order dated 09.09.2015, to stay
the operation of the impugned order of the 1st Respondent dated
09.09.2015 passed in I.A.No.223 of 2015 and in I.D.No.163 of
2014, pending disposal of this Writ Petition.

For appellant Mr. V. Prakash, Sr. Counsel
for Mr. K. Sudalaikannu

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JUDGMENT

(delivered by SATISH K. AGNIHOTRI, J.)

The instant intra-Court appeal is focussed against the order dated 04 November 2015 rendered by the learned Single Judge in M.P. No.1 of 2015 in W.P. No.34061 of 2015.

2 To avoid prolixity, the parties are referred to as per their rank in the instant intra-Court appeal.

3 The appellant union filed an Interlocutory Application being I.A. No.223 of 2015 in I.D. No.163 of 2014 before the Presiding Officer, Principal Labour Court, Vellore (for short "the Labour Court") seeking a direction to the first respondent-Management to produce documents such as salary slips/bank remittance statement in respect of its officers, viz., General Manager, Manager (Personnel), Accounts Manager, Senior Manager-HR and Supervisors for the period between 01 August 2012 and 31 July 2015. The Labour Court allowed the said Interlocutory Application. Feeling aggrieved, the first respondent-Management preferred the instant writ petition.

4 The learned Single Judge, while ordering notice, granted stay of the impugned order rendered by the Labour Court, however, making it clear that neither the pendency of the instant writ petition nor the said order of stay, shall be a fetter for the second respondent-Labour Court to proceed with the Industrial Dispute preferred by the appellant union.

5 The learned Senior Counsel appearing for the appellant union would submit that the salary details of the aforstated senior officers is relevant to determine the disputes pending before the Labour Court. On account of stay of production of the aforestated documents granted by the learned Single Judge, adjudication before the Labour Court, would not be proper.

6 Be that as it may, the instant intra-Court appeal is preferred assailing an interim order. According to the learned Senior Counsel appearing for the appellant union, the Labour Court has fixed the matter for final disposal on 11 February 2016.

7 In such view of the matter, we are not inclined to interfere with the order sought to be impugned herein. However, we direct the Registry to list the instant writ petition being W.P. No.34061 of 2015, for final disposal on 11 February 2016, before the appropriate roster Bench.

The intra-Court appeal stands disposed of with the above direction. Connected C.M.P. is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

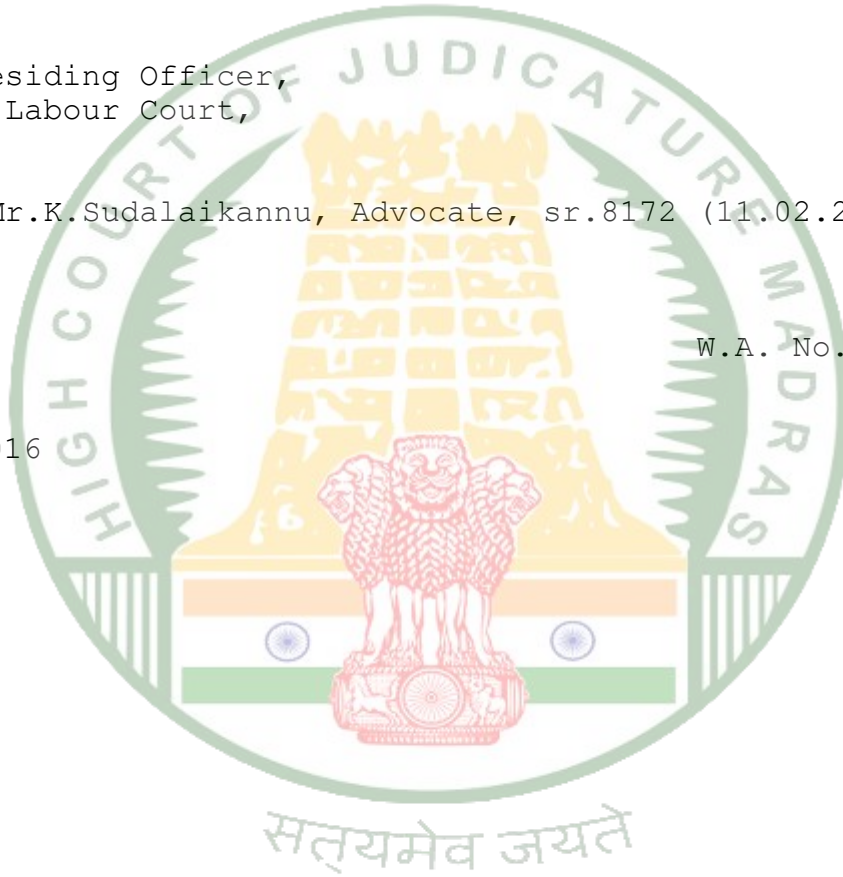
To

1. The Presiding Officer,
Principal Labour Court,
Vellore

+1 cc to Mr.K.Sudalaikannu, Advocate, sr.8172 (11.02.2016)

W.A. No.121 of 2016

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