



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.11.2016

CORAM:

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

C.R.P.NPD(MD)No.2301 of 2016

Nellai Chithambaranar Kumari District
Government Transport Employee's Union,
Rep.by its General Secretary,
4 C, Imperial Compound I Floor,
Peratchi Amman Kovil Street,
Vannarapettai, Tirunelveli -3.

... Petitioner

Vs.

The Administration,
Tamil Nadu State Transport Corporation,
(Madurai Division -2),
Tirunelveli Region,
Tirunelveli District.

... Respondent

Prayer: The Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the docket returned order dated 11.08.2016 passed in unnumbered E.P. in I.D.No.5 of 2013 on the file of the Labour Court, Tirunelveli by allowing the Civil Revision petition and to direct the Labour Court to receive the application from the petitioner and number the same which was presented on 22.08.2016.

For Petitioner : Mr.N.Madhava Govindan

ORDER

This Civil Revision petition has been filed to set aside the docket order dated 11.08.2016 passed in unnumbered E.P. in I.D.No.5 of 2013 on the file of the Labour Court, Tirunelveli.

2.According to the petitioner, the execution petition was filed in I.D.No.5 of 2013 on 13.06.2016. The said application was returned on 17.06.2016 pointing out some defects in the execution petition. According to the petitioner, the petitioner has complied with the defects pointed out and the same was also represented before the court below. Again it was returned stating that how the petition is maintainable. The said application once again represented on 03.08.2016 and thereafter, on 11.08.2016 again the same defect has been pointed out and returned it. Again the petitioner represented on 22.08.2016, however, the said application was not received by the Labour Court, Tirunelveli.

3.The maintainability of the said petition cannot be decided in the Civil Revision Petition at this stage. Hence, this



Court is inclined to direct the Labour Court, Tirunelveli to entertain the aforesaid execution petition in I.D.No.5 of 2013 and if there is any other defect has been pointed out, the petitioner shall comply with the same as directed by the Labour Court, Tirunelveli.

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4.The Civil Revision petition is disposed directing the petitioner to re-present the said application within a period of two weeks from the date of receipt of a copy of this order and thereafter, the Labour Court shall decide the maintainability of the petition. No costs. Consequently, connected C.M.P.is closed.

Sd/-
Assistant Registrar(AE)

/True Copy/

Sub-Assistant Registrar

To

The Judge, Labour Court, Tirunelveli.

Copy to:-

The Section Officer, E.R.Section,
Madurai Bench of Madras High Court, Madurai
(For return the Original Copy of the Order)

+One cc to Mr.N.Madhava Govindan, Advocate, SR.No.68495

nbg

RL/4C/2P/SKS/RR/14.12.2016

C.R.P. (MD) No.2301 of 2016