



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.10.2016

CORAM:

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THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.20186 of 2016

and

W.M.p.(MD).No.14480 of 2016

N.Pitchandi

... Petitioner

Vs.

1.The Chairman and Managing Director,
Tamil Nadu Newsprint and Papers Limited,
67, Mount Road,
Guindy, Chennai-32.

2.The General Manager (HR)
Tamil Nadu Newsprint and Papers Limited,
Kagithapuram,
Karur District,
TamilNadu.

3.C.Ravichandran,
General Secretary,
T.N.P.L Staff Association,
Tamil Nadu Newsprint and Papers Limited,
Kagithapuram, Karur District.

4.S.Shanmuga Sundaram,
The President,
T.N.P.L Staff Association,
Tamil Nadu Newsprint and Papers Limited,
Kagithapuram, Karur District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus forbearing the respondents 1 and 2 from in any way permitting the respondent No.3 as Secretary and Respondent No.4 as President to function TNPL Staff Association situated at Kagithapuram, Karur District.

For Petitioner

: Mr.P.Krishnasamy

<https://hcservices.ecourts.gov.in/Respos>

: Mr.M.P.Senthil

for R-1 & R-2

**ORDER**

The petitioner has filed this Writ Petition seeking a direction, forbearing the respondents 1 and 2 from in any way permitting the respondent No.3 as Secretary and Respondent No.4 as President to function TNPL Staff Association, situated at Kagithapuram, Karur District.

2. According to the petitioner, the respondents 3 and 4 are claiming themselves as the President and Secretary of the TNPL Staff Association, though they were not properly elected by the Staff Association and they are trying to enter into an agreement with the management. Hence, in order to forbear them, the petitioner has filed the present writ petition.

3. Heard the submissions made on either side and perused the documents carefully.

4. On a perusal of the prayer made in the writ petition, this Court is of the prima facie view that the prayer made in the writ petition is not at all maintainable. If at all the petitioner has any grievance that the election to the association was not conducted properly and the respondents 3 and 4 were not properly elected, he has to approach the concerned Civil Court for setting aside the election. In stead of that, he cannot invoke the jurisdiction of this Court under Article 226 of the Constitution of India with this prayer.

5. In the above circumstances, this writ petition is dismissed with liberty to the petitioner to approach the concerned Civil Court. Consequently, connected miscellaneous petition is also dismissed. There shall be no order as to costs.

Sd/-

Assistant Registrar(CSII)

/True Copy/

Sub Assistant Registrar

vs

To

1. The Chairman and Managing Director,
Tamil Nadu Newsprint and Papers Limited,
67, Mount Road,

<https://hcservices.ecourtsgov.in/hcservices/Securities/Chennai-32>.



2.The General Manager (HR)
Tamil Nadu Newsprint and Papers Limited,
Kagithapuram, Karur District,
TamilNadu.

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+1cc to Mr.P.Krishnasamy,Advocate Sr.No. 62145

+1cc to Mr.M.P.Senthil,Advocate Sr.No. 62865

JAM/09.11.16/GSV-PM/ 3p-5c

W.P (MD) No.20186 of 2016

20.10.2016