

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2017

CORAM :

THE HONOURABLE Mr.JUSTICE T.RAJA

W.P.No.30373 of 2017
and
W.M.P.Nos.33115 & 33116 of 2017

Management,
C.K.Sons Shoes,
71/D 1/A Vaniyampadi Road,
Thirupattur-635 601.

... Petitioner

Vs.

1. The Assistant Commissioner of Labour,
Office at Deputy Commissioner of Labour-I,
Chennai-600 006.

2. S.Vali,
7/4, Kasi Chettiar Street,
Krishnan Kovil residence,
Ambur-635 802.

... Respondents

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India, praying for issuance of a writ of Certiorari to call for the entire records pertaining to the order made in P.G.No.110 of 2006, dated 30.06.2009 passed by the 1st respondent and to quash the same.

For Petitioner : Mr.G.Mutharasu

For Respondents : Mr.V.Jayaprakash Narayanan, Spl GP
for R1

ORDER

This writ petition has been filed, with a huge delay of eight years, by the petitioner/Management, challenging the impugned order in P.G.No.110/2006, dated 30.06.2009 passed by the Assistant Commissioner of Labour, Chennai (1st respondent herein), directing the the petitioner/management to pay the gratuity to the 2nd respondent herein.

2.In view of the huge and unexplained delay of eight long years, the writ petition cannot be entertained as the petitioner is held guilt of laches.

3.It is submitted by the learned counsel appearing for the petitioner/Management submitted that a false claim has been made by the 2nd respondent and this has been wrongly allowed by the 1st respondent. If that is so, it is not known why the petitioner has gone out of the picture for a long period of eight years. When the impugned order was passed by the 1st respondent on 30.06.2009, the petitioner has not properly explained the huge delay of eight years, in challenging the said order.

Hence, the writ petition is dismissed. Consequently, connected Miscellaneous Petitions are closed. No costs.

s/d-

Assistant Registrar(CS-V)

True Copy

Sub-Assistant Registrar

ssv

To

1. The Assistant Commissioner of Labour,
Office at Deputy Commissioner of Labour-I,
Chennai-600 006.

+1 CC to Govt. Pleader sr 84200.

+1 CC to Mr.G. Mutharasu, Advocate sr 84403.

W.P.No.30373 of 2017
and

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SP(02/01/2018)

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