

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.11.2017

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.A.No.1444 of 2017
and
C.M.P.No.19410 of 2017

The Management of
M/s.S&S Industries and Enterprises Ltd.,
rep. by its Deputy General Manager,
Mr.S.Ramasamy
204, SIDCO AIEMA Towers,
First Main Road, Ambattur Industrial Estate,
Chennai 600 058.

Appellant

Versus

1. The Presiding Officer,
Principal Labour Court, Chennai.

2. R.Balakrishnan
3. C.Sridhar
4. A.Pughazhendi
5. N.Ramamurthy
6. K.Sivagnanam
7. R.Sampath
8. M.Sankaran

Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 21.8.2017 passed in W.P.No.12242 of 2011 in confirming the order dated 05/04/2011 of the first respondent-The presiding officer, Principal Labour Court, Chennai in I.A.Nos.476/2010 to 479/2010 in ID.Nos.563 to 566, 764, 728 and 729/2001.

Prayer in W.P.No.12242 of 2011:

Writ petition filed under Article 226 of the constitution of India, praying for the issuance of Writ of Certiorarified Mandamus to call for the records in ID No.563 to 566, 764, 728 and 729 of 2001 on the file of the First Respondent and quash the order of the First Respondent dated 05.04.2011 in IA No.476/2010 to 479/2010 in ID No.563 to 566 , 764 , 728 and 729

of 2001 and direct the First Respondent to a) reopen the evidence b) grant permission to receive additional document c) recall the MW1 and d) recall the WW 1 and 2.

For appellant : Mr.B.Natarajan

JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Notice to the respondents is dispensed with. Heard the learned counsel appearing for the appellant.

2. The learned counsel appearing for the appellant has brought out certain of the grounds regarding the conduct of the seventh respondents contending that despite opportunity given to respondents 2 to 8 herein to report for duty, they are said to have not reported. The learned counsel for the appellant also sought for grant of interim stay on the ground that the matter is going to be taken up by the Labour Court very soon.

3. However, since the matter is pending consideration before the Labour Court, we are of the view that it is for the Labour Court to take into consideration all the submissions made on behalf of the Management and also any other materials available available by affording opportunity of hearing to the counsel appearing for the Management and thereafter, pass orders. The writ appeal is disposed of accordingly. No costs. The connected miscellaneous petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

ssk.

To:

1. The Presiding Officer,
Principal Labour Court, Chennai.

+1 CC to Mr.B.Natarajan, Advocate sr 80613.

W.A.No.1444 of 2017

KGK(CO)
SP(07/12/2017)