

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2017

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P.Nos. 13878 and 13879 of 2017
& W.M.P.Nos.15060 and 15061 of 2017

National Textile Corporation Ltd.
Southern Regional Office
NTC House, PO Box No.2409
35-B, Somasundaram Mills Road
Coimbatore 641 009
rep. By its Executive Director

... [Petitioner in both the petitions]

Vs.

1. The Regional Labour Commissioner
(Central)
No.26, Haddows Road
SastriBhavan, Chennai 600 006.

... [Respondent in both the petitions]

2. D.Uma Shankar
NTC SHow Room, No.3, Utility Building,
M.G.Road, Bangalore - 560 001

... Respondent in W.P.No.13878 of 2017

3. J.T.Sreenivasa
NTC Show Room
Rajaji Nagar,
Bangalore - 560 010.

... Respondent in W.P.No.13879 of 2017

Prayers: Writ petitions are filed under Article 226 of The Constitution of India praying for the issuance of a writ of Certiorari calling for the records of the 1st respondent resulting in the issue of communication No.M.8/(Misc)(1)/2016-B2 dated 21.04.2017 and 24.04.2017, respectively and quash the same.

For Petitioner : Mr.Anand For
M/s.T.S.Gopalan & Co.

C O M M O N O R D E R

These petitions are filed to call for the communication of the 1st respondent dated 21.04.2017 and 24.04.2017 and quash the same.

2. Heard the learned counsel appearing for the petitioner.

3. The impugned order which is in the nature of advice, is sought to be rejected on the ground that persons to whom the benefits were sought to be extended at the hands of the petitioner, are not parties to the claim.

4. A perusal of the said communication itself would show that it is only an advice. Therefore, it cannot be termed as an order which would be binding on the petitioner.

5. In such view of the matter, there is no necessity even to challenge the said communication, as it is for the petitioner to implement or not. As the same being in the nature of an advice, such an advice can never be a binding order.

With the above said observation, the writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

gsa/pvs
To

The Regional Labour Commissioner
(Central)
No.26, Haddows Road
SastriBhavan, Chennai 600 006.

+1 CC to Mr.T.S. Gopalan & Co, sr 40081

W.P.No.13878 & 13879 of 2017

PVS (CO)
sp(04/07/2017)