

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.MANIKUMAR
and
THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.A.No.1466 of 2010
and
M.P.No.1 of 2010

Tamil Nadu Arasu Pokkuvarathu
Uzhiyar Sammellanam (CITU),
(Regd.No.2468/MDS),
rep. by its General Secretary,
52, Cooks Road, Chennai - 600 012. ... Appellant

versus

1. State of Tamil Nadu,
rep. by Secretary,
Transport Department,
Secretariat, Chennai - 600 009.
2. The Commissioner of Labour,
Labour Commissioner's Officer,
Teynampet, Chennai - 600 006.
3. Metropolitan Transport Corporation
(Chennai) Ltd., rep. by its Managing Director,
Pallavan Salai,
Chennai - 600 002.
4. Tamil Nadu State Transport Corporation Ltd.,
(TNSTC) rep. by its
Managing Director,
Villupuram Division,
Villupuram - 605 602.
5. Tamil Nadu State Transport Corporation
Ltd., (TNSTC) rep. by its
Managing Director,
Kanchipuram Division,
No.1/2, Nadu Street, Shekpet,
Kanchipuram - 631 501

6. Tamil Nadu State Transport Corporation
Ltd., (TNSTC) rep. by its
Managing Director,
Vellore Division,
No.9, Rangapuram, Vellore - 632 009.
7. Tamil Nadu State Transport Corporation
Ltd., (TNSTC) rep. by its
Managing Director,
Tiruchi Division,
Periamilaguparai, Tiruchi - 620 001.
8. Tamil Nadu State Transport Corporation
Ltd., (TNSTC) rep. by its
Managing Director,
Kumbakonam Division, Railway Station New Road,
Kumbakonam - 612 001.
9. Tamil Nadu State Transport Corporation
Ltd., (TNSTC) rep. by its
Managing Director, Pudukkottai Division,
No.51/1, Pillai Thanneer Pandal, Thirumagan Road,
Pudukkottai 622 001.
10. Tamil Nadu Transport Corporation
Ltd., (TNSTC) rep. by its Managing Director,
Virudhunagar Division, Virudhunagar.
11. Tamil Nadu State Transport Corporation
Ltd., (TNSTC) rep. by its
Managing Director, Dindigul Division,
Bye-pass Road, Dindigul - 624 004
12. Tamil Nadu State Transport Corporation
Ltd., (TNSTC) rep. by its
Managing Director, Karaikudi Division,
Maruthupathi Mangiri Road,
Karaikudi - 630 307.
13. Tamil Nadu State Transport Corporation
Ltd., (TNSTC) rep. by its,
Managing Director, Madurai Division,
Bye-Pass Road, Madurai - 625 010.
14. Tamil Nadu State Transport Corporation
Ltd., (TNSTC) rep. by its
Managing Director, Tirunelveli Division,
No.2, Thiruvananthapuram Road,
Vannarapettai, Tirunelveli - 627 003.

15. Tamil Nadu State Transport Corporation Ltd., (TNSSTC) rep. by its Managing Director, Nagercoil Division, Nesamoni Nagar, Rani Thottam, Nagercoil - 629 043.
16. Tamil Nadu State Transport Corporation Ltd., (TNSSTC) rep. by its Managing Director, Coimbatore Division, No.37, Mettupalayam Road, Coimbatore - 641 043.
17. Tamil Nadu State Transport Corporation Ltd., (TNSSTC) rep. by its Managing Director, Salem Division, No.12, Ramakrishnan Salai, Salem - 636 007.
18. Tamil Nadu State Transport Corporation Ltd., (TNSSTC) rep. by its Managing Director, Dharmapuri Division, Bharathipuram, Salem Road, Dharmapuri - 636 705.
19. Tamil Nadu State Transport Corporation Ltd., (TNSSTC) rep. by its Managing Director, Erode Division, Chennimalai Road, Erode - 638 001.
20. State Express Transport Corporation Ltd., Rep. by its Managing Director, Pallavan Salai, Chennai - 600 002.
21. Anna Thozhir Sanga Peravai (ATP), Rep. by its General Secretary, Royapettah, Chennai - 600 014.
22. Labour Progressive Federation, Rep. by its General Secretary, North Usman Road, T.Nagar, Chennai - 600 017.
23. Tamil Nadu Govt. Transport Corporation Staff Federation, rep. by its Secretary, Plot No.288, Transport Nagar, Pappan Odai Postal Training Centre, Madurai - 22

.. Respondents

Writ Appeal filed against the order dated 19.04.2005 made in W.P.No.7383 of 2002, on the file of this court.
W.P. No 7383 of 2002:

Petition filed under Article 226 of the Constitution of India, praying this Hon'ble Court to issue a writ of Mandamus, directing respondents 1 to 20 to conduct elections through Secret ballot to recognise Trade Union to represent the workers employed in State Transport Corporations in the State of Tamil Nadu and negotiate and effect settlements regarding their service conditions only with the recognised Trade Unions.

For Appellant : Mr.V.Stalin
for M/s.Row and Reddy

For Respondents : Mr.T.M.Pappiah (for R1 & R2)
Special Government Pleader
Mr.Kalyanaraman (for R3 to R20)

JUDGMENT

(Order of the Court was made by S.MANIKUMAR, J.)

Common order made in W.P.Nos.20038 of 2001, etc batch, dated 19.04.2005, is challenged by way of instant appeal.

2. Record of proceedings shows that the matter is under the caption "Adjourned Admission", since 2010.

3. On this day, when the matter came up for further hearing, Mr.V.Stalin, learned counsel for the appellant submitted that subsequent to the orders impugned, elections were conducted and accordingly, representatives were elected.

4. In the light of the subsequent developments and going through the material on record, we are of the view that nothing survives in the instant appeal for further adjudication. Hence, the instant writ appeal is dismissed. No Costs. Consequently the connected Miscellaneous Petition is closed.

s/d-

Assistant Registrar(CS-V)

//True Copy//

Sub-Assistant Registrar

To

1. The Secretary,
State of Tamil Nadu,
Transport Department,
Secretariat, Chennai - 600 009.

2. The Commissioner of Labour,
Labour Commissioner's Officer,
Teynampet,
Chennai - 600 006.

3. The Managing Director,
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Kumbakonam - 612 001.

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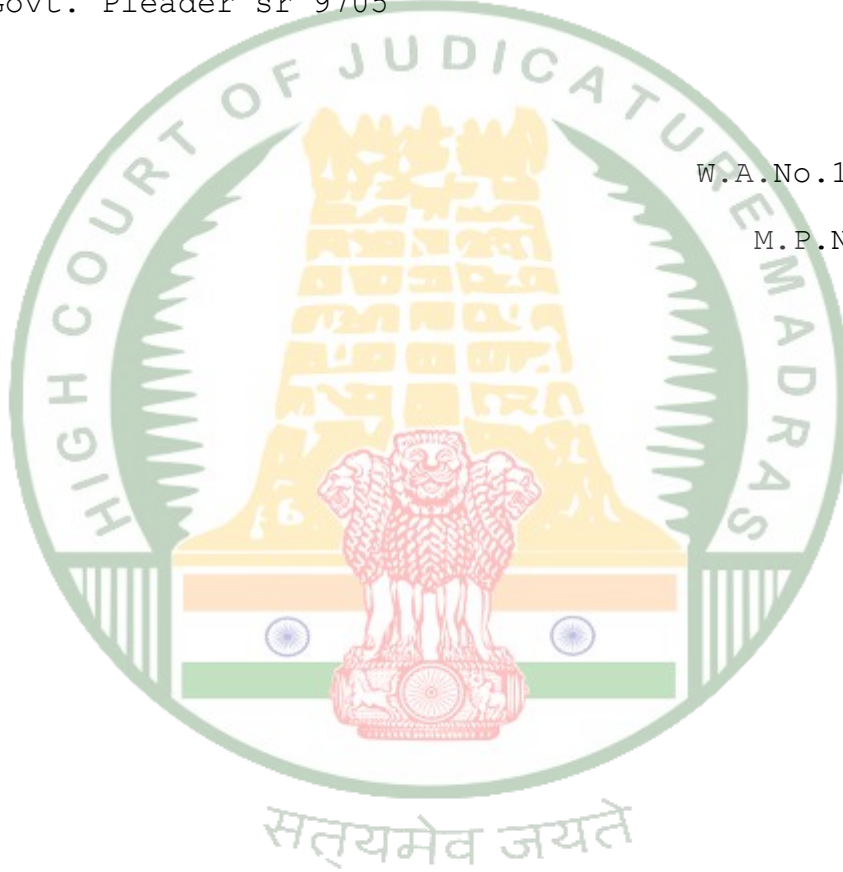
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20. The Managing Director,
State Express Transport Corporation Ltd.,
Pallavan Salai, Chennai - 600 002.

+1 CC to M/s. Row & Reddy, Advocate sr 10178
+1 CC to M/s. Jayesh-B.Dolia, Advocate sr 10039
+1 CC to Govt. Pleader sr 9705

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SV(CO)
sp/24/2



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