

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.28983 of 2017

R.Nagarajan

.. Petitioner

-vs-

1. The Assistant Commissioner of Labour
Conciliation-I
Sriperumbudur
Kancheepuram District
 2. The Management
M/s Tata Consultancy Services
(TCS e-serve International Limited)
No.1/124, Mount Poonamallee Road
Manapakkam
Chennai 600 089
- .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, calling for the records pertaining to the first respondent's order dated 04.08.2017 vide A.Thi.Mu.641/2017 and quash the same and subsequently direct the first respondent to take on file the petitioner's petition dated 20.07.2017 under Section 2A of the Industrial Disputes Act, 1947.

For Petitioner :: Mr.A.Suresh Sakthi Murugan

For Respondents:: Mr.V.Jayaprakash Narayanan
Special Government Pleader for R1

ORDER

This writ petition is directed against the impugned order passed by the Assistant Commissioner of Labour, Conciliation-I, Sriperumbudur refusing to take on record the belated claim made by the petitioner, holding that the petitioner cannot come to him with a huge delay of five years for raising the industrial dispute with regard to his termination, which was made five years ago.

2. This Court also finds no merit in the writ petition. The reason is that the petitioner was terminated from the services of the second respondent in the year 2012. Keeping quiet all along for a period of five years, for the first time, he has filed an application only on 20.7.2017 under Section 2A of the

Industrial Disputes Act, 1947. The first respondent, in my opinion, has rightly considered the undue delay caused by the petitioner. Therefore, he has rightly held the petitioner guilty of laches. Hence, this Court is unable to find any infirmity with the impugned order. Accordingly, the writ petition is dismissed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

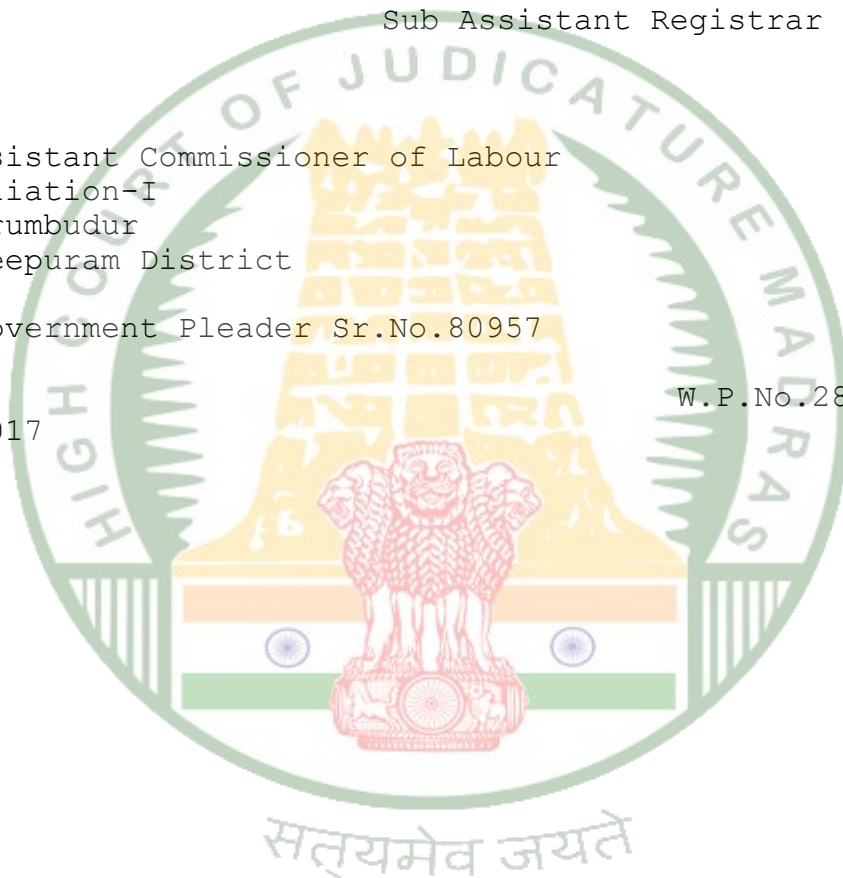
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To

1. The Assistant Commissioner of Labour
Conciliation-I
Sriperumbudur
Kancheepuram District

+1cc to Government Pleader Sr.No.80957

W.P.No.28983 of 2017

sm:7.12.2017



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