

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.516 of 2018

The Management
Indian Christian Mission Centre
rep.by S.Jayaraj Krishnan
S/o Late Mr.Subramaniam
No.289/55-1, Vasanthapuram
Kannan Kurichi Post
Salem-8

... Petitioner

-vs-

1. V.Rathinam

2. The Presiding Officer
Labour Court
Salem

... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorari, to call for the records in the impugned dismissal order dated 07.11.2017 made in I.A.No.255 of 2015 in I.D.No.122 of 2011 on the file of the second respondent viz., the learned Presiding Officer, Labour Court, Salem and quash the same.

For Petitioner :: Mr.B.Manimaran

ORDER

This writ petition is directed against the impugned order dated 7.11.2017 passed in I.A.No.255 of 2015 in I.D.No.122 of 2011 by the Labour Court, Salem, rejecting the prayer of the petitioner for condoning the delay of 1509 days in re-opening the proceeding by setting aside the ex parte award dated 6.12.2012.

2. When the petitioner deliberately remained outside the Court proceedings for more than four long years, this Court is not inclined to entertain the present writ petition. Even the reasons assigned by the petitioner in the application seeking condonation of delay also would show that he attended a seminar organised by ICHT HUS Church of Nazarena from 18.12.2012 to 21.12.2012 at Bangalore and this apart, he also travelled to

United Kingdom from 27.8.2013 to 27.2.2014, without contesting the case. When the petitioner had been attending the seminars and also been travelling abroad without following up the case, the Labour Court has rightly come to the conclusion that the petitioner has miserably failed to show the plausible explanation for each day's delay. When the reasoning given by the Labour Court rejecting the request of the petitioner to condone the huge and unexplained delay of 1509 days is perfectly in order, this Court is not inclined to entertain the writ petition. Accordingly, the writ petition is dismissed. Consequently, W.M.P.No.612 of 2018 is also dismissed.

s/d-

Assistant Registrar (CS-V)

True Copy

Sub-Assistant Registrar

ss

To

1. The Presiding Officer
Labour Court
Salem

+1 CC to Mr.B. Manimaran, Advocate sr 2713.

W.P.No.516 of 2018

SR(CO)
SP(02/02/2018)

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