

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 26.09.2018

CORAM:
THE HONOURABLE Dr. JUSTICE S.VIMALA

W.P.No.38813 of 2004
and W.P.M.P.No.46374 of 2004

The Managing Director,
M/s.Compact Electric Ltd.

... Petitioner

versus

1. The Presiding Officer,
Principal Labour Court,
Chennai - 600 104.

2. G.Balasubramanian Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of writ of certiorari, to call for the records pertaining to the impugned order dated 31.12.2003 of the 1st respondent herein passed in I.A.No.225 of 2002 in C.P.No.51 of 2000 on the file of the 1st respondent herein and to quash the same.

For Petitioner : Mr.A.R.Gokulnath

For R2 : No appearance

ORDER

A petition in I.A.No.228 of 2002 in C.P.No.51 of 2000 under Section 91 C.P.C. has been moved by the second respondent herein before the Principal Labour Court at Chennai, seeking a direction to the employer/writ petitioner herein to produce the following documents, namely, 1) Pay Receipt for the year 2000-2001 in respect of one Mr.Premkumar; 2) Pay receipt in respect of the petitioner for the month of September 2000; 3) copy of the complaint preferred as against the petitioner before the Guindy Police Station. The said application was allowed by the Labour Court, against which, the present writ petition has been filed by the Management.

2. The learned counsel representing the Management would submit that the copy of the complaint has already been produced before the Court and in respect of the pay receipt for Premkumar and the second respondent herein, the charge itself is that the employee has taken away the pay receipt and based on which the

findings in the enquiry, the workman has already been terminated, against which, the second respondent raised an Industrial Dispute, which was also been dismissed.

3. A careful analysis of the contention reveals that the charge itself is to the effect that the second respondent has taken away the receipt for the month of September 2000. That being the case, there is no purpose in directing the petitioner/Management to produce the document.

4. Under the circumstances, the order dated 31.12.2003 passed in I.A.No.228 of 2002 in C.P.No.51 of 2000 by the first respondent directing production of documents, is liable to be set aside and accordingly, the same is hereby set aside.

5. Accordingly, the writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ogy / srk

To

1.The Presiding Officer,
Principal Labour Court,
Chennai - 600 104.

+1cc to Mr.A.R.Gokulnath, Advocate, S.R.No.66506

W.P.No.38813 of 2004

CA(CO)

rrs 18/02/2019

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