

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :20.06.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.14865 of 2018

and W.M.P.No.17597 of 2018

Sanco Trans Ltd.,
S.T.Tower,
No.24 & 25 2nd line Beach Road,
Chennai- 600 001.
Rep by its Managing Director.

..Petitioner

vs

The Assitant Commissioner of Labour - I (Enforcement)
Government of Tamil Nadu,
Labour Department,
No.33, Venkat Narayana Road,
Nandanam, Chennai- 600 035.

...Respondent

Prayer: Writ Petition filed under Article 226 of the
Constitution of India praying to issue a Writ of Certiorari
Mandamus to call for the records of the respondent dated
09.05.2018 in proceedings No.L.R.No.1252/2018 quash the same.

For Petitioner : Mr.G.Anand
for M/s.T.S.Gopalan & Co.
For Respondent : M/s.A.Sri Jayanthi,
Special Government Pleader

O R D E R

The order passed by the Assistant Commissioner of Labour-I
(Enforcement) in proceedings dated 09.05.2018 is under challenge
in this writ petition.

2. The learned counsel appearing on behalf of the writ
petitioner made a submission that the writ petitioner had raised
number of grounds defending their case. However, the impugned
order has been issued without considering any of the grounds
raised by the writ petitioner and the order is absolutely
non-speaking. The grievance of the writ petitioner is that the
impugned order passed by the respondent is non-speaking and the
grounds raised are not considered.

3. Thus, this court is of an opinion that it is a fit case
for remittance. The authorities exercising the quasi-judicial
power are bound to consider the grounds raised and the order
passed must be a speaking one. On perusal of the order

impugned, this Court is of an opinion that the authority has not considered all the grounds raised and the order passed is non speaking. The judgments relied on by the writ petitioner also have not been considered at the time of passing the impugned order.

4. This being the factum of the case, the order impugned passed by the respondent in proceedings No.L.R.No.1252/2018 dated 09.05.2018 is quashed.

5. The respondents are directed to rehear the matter and to pass a speaking order considering the grounds raised by the writ petitioner within a period of twelve weeks from the date of receipt of a copy of this Order.

6. With the above direction, the writ petition stands allowed. Consequently, connected miscellaneous petition is closed. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(co)

//True Copy//

Sub Assistant Registrar

To

The Assitant Commissioner of Labour - I (Enforcement)
Government of Tamil Nadu,
Labour Department,
No.33, Venkat Narayana Road,
Nandanam, Chennai- 600 035.

+1cc to Mr.T.S.Gopalan, Advocate Sr.No.38469
+1cc to Government Pleader SR.No.39094

KJI(CO)
sm:29.6.2018

W.P.No.14865 of 2018

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