IN THE JUDICATE OF MADRAS HIGH COURT

DATE : 01.03.2018

CORUM

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.No.32181 of 2002
and WPMP No.46824 of 2002

The Special Officer,
The Tirunelveli District Police Co-operative Stores Ltd.,
0.1025 A.R. Police Camp,
Palayamkottai - 627 002 ... Petitioner

Vs.

1. The Presiding Officer,
   Labour Court,
   Tirunelveli.

2. Vijayan
3. Sundaravalli Nachiyar
4. E. Palani
5. T. Palani
6. S. Murugan
7. M. Jinnah
8. G. Pichaiah

9. The Deputy Registrar,
   Co-operative Societies,
   Tirunelveli - 9 ..... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari to call for the records in pursuant to the order dated 7.5.2001 in C.P.No.8/94 passed by the Labour Court, Tirunelveli and quash the same.

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For Petitioner : Mr.R. Prem Narayanan
For R.1 : Labour Court
For R.2,R.4 to R.8 : Struck Off under Order dt. 27.1.2006.
For R.3 : Served - No appearance
For R.9 : Mr.L.P. Shanmugasundaram
Spl.G.P. (Co-op.)

ORDER

This writ petition has been filed challenging the order

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dated 07.05.2001 in C.P No.8/94 passed by the Labour Court, Tirunelveli. The second to eighth respondents in the writ petition were former employees of the petitioner Co-operative Stores, who had made claim under Section 33-C(2) of the Industrial Disputes Act, 1947 and had been granted benefit claimed by them. Aggrieved thereby, the petitioner Co-operative Stores has filed the present writ petition.

2. Mr.R. Prem Narayanan, learned counsel appearing for the petitioner submits that the second, fourth, fifth, seventh and eighth respondents have died and the petitioner is not in a position to give particulars of the legal representatives of the said deceased respondents as communicated in its letter dated 02.01.2018. In the absence of the legal representatives of the said deceased respondents, it would not be possible to further prosecute this writ petition, which has already abated.

3. Accordingly, the writ petition stands dismissed as abated. However, it is made clear that it is open to the petitioner to pursue appropriate remedy in accordance with law to reopen the writ petition as soon as the legal representatives of the said deceased respondents are ascertained. No costs. Consequently, connected WPMP is closed.

-sd/-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Presiding Officer,
   Labour Court,
   Tirunelveli.

2. The Deputy Registrar,
   Co-operative Societies,
   Tirunelveli - 9

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+1 C.C. to M/S.R.PREM NARAYAN Advocate SR.NO. 15756

W.P.No.32181 of 2002

PPA (CO)

VS 23.03.2018

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