

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.01.2018

CORAM

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

W.P.No.34561 of 2003

M.Thiyagarajan

..Petitioner

vs

1.Neyveli Lignite Corporation Ltd.,
Rep.by its Chairman cum Managing Director,
Neyveli.

2.Chief General Manager,
Neyveli Lignite Corporation Ltd.,
P & A Department,
Corporate Office,
Neyveli.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records on the files of the second respondent pertaining to his circular dated 8.9.2003 and quash the same and for a consequential direction directing the respondents to forbear from initiating disciplinary proceedings against the petitioners for joining a trade union of their choice.

For Petitioner : M/s.A.V.Bharathi

For Respondents : Mr.N.Nithianandam
for R1 & R2

O R D E R

The relief sought for in this writ petition is for a direction to the 2nd respondent to forbear from initiating disciplinary proceedings against the petitioner for joining a trade union of their choice.

2.Admittedly, the present writ petition was filed by Sri.M.Thiyagarajan, who was an employee of Neyveli Lignite Corporation Limited(NLC). The learned counsel appearing for the respondent brought to the notice of this Court that the writ

petitioner was retired from service after attaining the age of superannuation. Thus, he cannot seek any claim in respect of his right to join in the trade union or in an association. Further, the writ petitioner is not an employee of the respondent corporation as of now and therefore, a relief as such sought for cannot be granted.

3.In this view of the matter, the writ petition stands closed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

kak

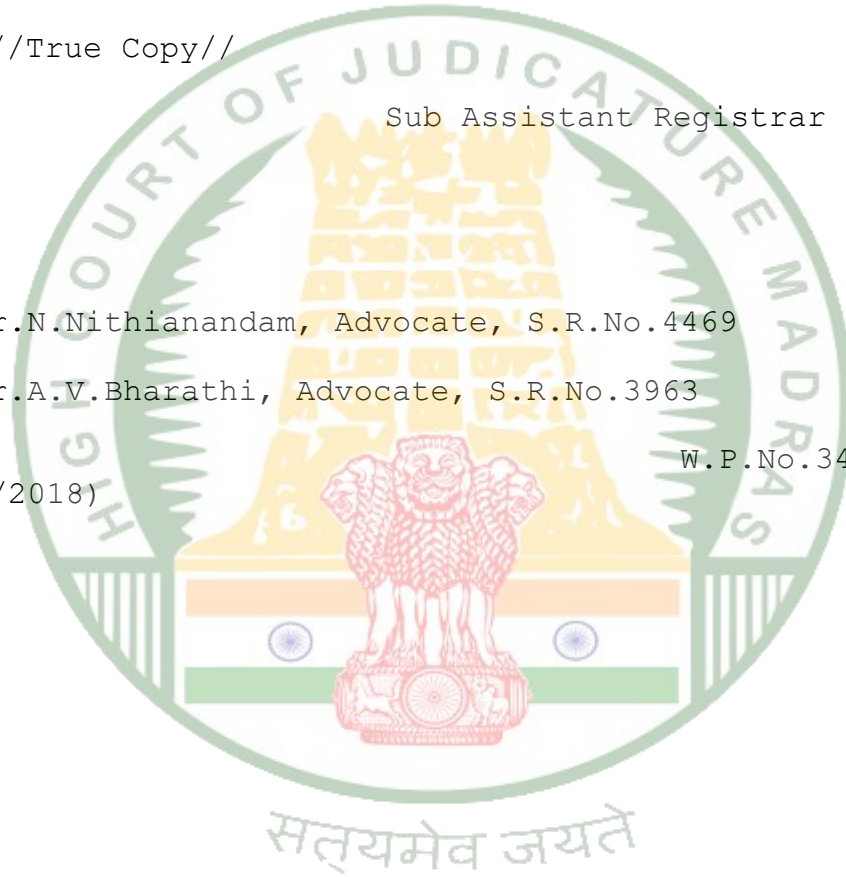
To

+1cc to Mr.N.Nithianandam, Advocate, S.R.No.4469

+1cc to Mr.A.V.Bharathi, Advocate, S.R.No.3963

W.P.No.34561 of 2003

RRK(13/02/2018)



WEB COPY