



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.10.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD) (PD)Nos.424 and 425 of 2017
and
C.M.P.(MD)No.2119 of 2017

The General Manager,
The Karunthattankudi Dravida Cooperative Urban Bank Ltd.,
Thanjavur. ... Petitioner/Petitioner/Respondent
(in both petitions)

Vs.

D.Rajendran ... Respondent/ Respondent/Petitioner
(in both petitions)

Common Prayer: Civil Revision Petitions - filed under Article 227 of the Constitution of India, to set aside the petition and order dated 22.12.2016 passed in I.A.No.80 and 81 of 2016 in I.D.No.37 of 2001 on the file of the Labour Court, Thanjavur, presently sitting at Cuddalore.

For Petitioner : Mr.G.Prabhu Rajadurai
For Respondent : Mr.K.K.Ramakrishnan
(in both petitions)

COMMON ORDER

The respondent in the civil revision petitions raised an Industrial dispute and filed I.D.No.37 of 2001 on the file of the Labour Court, Thanjavur at Cuddalore. The revision petitioner is the sole respondent in the said ID. Since the learned counsel appearing for the Management passed away, time was sought. But, without giving time, the respondent side was closed. To reopen the same, I.A.No.80 and 81 of 2016 were filed and the same were allowed on payment of cost. But, the cost was not paid within the time leading to the dismissal of IAs. Therefore, the civil revision petitions have been filed.

2. The request of the Management is that their side should be reopened and their witness should be recalled. I.A.No.80 and 81 of 2016 suffered dismissal only on account of non payment of costs.

3. Considering that substantial justice will have to be rendered, this Court extends time for payment of cost of Rs.1,000/- [Rupees One Thousand only] in all (covering both cases) within a period of two weeks from the date of receipt of a copy of this order. The revision petitioner shall pay the cost amount to the



learned counsel appearing for the respondent in these civil revision petitions. Upon payment of the said cost amount, both the orders impugned in these civil revision petitions will stand set aside. Consequently, these civil revision petitions are allowed.

4. It is seen that ID is of the year 2001. The Labour Court, Thanjavur is directed to dispose of I.D.No.37 of 2001 on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-III)

To:

The Labour Court, Thanjavur, presently sitting at Cuddalore.

Copy To:

The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai. **(2 copies)**

- 1 CC TO Mr.G.Prabhu Rajadurai , ADVOCATE IN SR No.89290.
- + 1 CC TO Mr.K.K.Ramakrishnan , ADVOCATE IN SR No. 88975.

SM

DS SKN SAR3 08 11 2018 2P 6C

Common Order made in
C.R.P. (MD) (NPD) No.424 and 425 of 2017
05.10.2018