



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.02.2018

CORAM :

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MRS. JUSTICE R.THARANI

W.A.(MD) No.814 of 2017
in
WP(MD)No.10770 of 2017

N.K.Pandian

... Appellant/Petitioner

vs.

1.Associate Partner - HR

Human Resource Development Departmental Officer,
G.V.K.-EMRI,
Government Kasduriba Gandhi
Women and Children Hospital,
Chennai - 05.

2.The Government of Tamil Nadu,

represented by its Joint Secretary to the Government,
Department of Labour and Employment,
Fort St.George,
Chennai.

... Respondents/Respondents

Prayer:- Writ Appeal filed under Clause 15 of Letters Patent Act,
against the order passed by this Court in W.P.(MD) No.10770 of 2017,
dated 09.06.2017.

Prayer in WP(MD). 10770/ 2017 :

Writ Petition is filed under Article 226 of the
Constitution of India, praying this Court to issue a Writ of
Mandamus, directing the respondent NO.1 to implement the judgment
and order passed by the labour court Madurai on 28.12.2016 in
I.D.No. 25 of 2016 and consequently provide the other benefits as
per the judgment order passed by the labour Court, Madurai on
28.12.2016 in I.D.No. 25 of 2016.

For Appellant

: Mr.R.Venkatesan

For Respondents

: Mr.D.Muruganandam

Additional Government Pleader

JUDGMENT

[Judgment of the Court was delivered by T.S.SIVAGNANAM, J.]

Heard Mr.R.Venkatesan, learned counsel for the appellant and Mr.D.Muruganandam, learned Additional Government Pleader for the respondents.

2. This appeal is directed against the order in W.P.(MD) No.10770 of 2017, dated 09.06.2017. The petitioner sought for implementation of the award of the Labour Court, Madurai in I.D.No.25 of 2016 and consequently provide other benefits.

3. The writ Court rejected the writ petition, since the relief sought for is against the first respondent / the private party. In our considered view, the opinion of the writ Court is proper, since the relief sought for is only against the first respondent, though the second respondent has been impleaded as a party to the writ petition. Therefore, the petitioner has not made out any case for interference of the order passed in the writ petition. However, it does not mean that the petitioner is remediless. It is always well open to the petitioner to seek for implementation of the award or for computation of monetary benefits by approaching the labour Court and seeking the provisions of Industrial Disputes Act. Accordingly, the Writ Appeal stands dismissed. No costs.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub-Assistant Registrar

To

- 1.Associate Partner - HR
Human Resource Development Departmental Officer,
G.V.K.-EMRI,
Government Kasduriba Gandhi
Women and Children Hospital, Chennai - 05.
 - 2.The Joint Secretary to Government,
Government of Tamil Nadu,
Department of Labour and Employment,
Fort St.George, Chennai.
- +One cc to The Special Government Pleader, SR.No.48221

mm/akv

RL/4C/2P/CVC/SAR4/8/3/2018

W.A. (MD) No.814 of 2017

12.02.2018