



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **15.02.2018**

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 9621 of 2017

and

W.M.P. (MD) . No. 7347 of 2017

TANSI Foundary and Engg. Works,
Rep. by its Works Manager (i/c) P.Kalavathy,
Pettai,
Tirunelveli.

.. Petitioner

Vs.

1. The Presiding Officer,
Labour Court, Tirunelveli - 11.

2. V.Murugesan

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, to call for the entire records pertaining to the Claim Petition filed by the second respondent in C.P.No.6 of 2017 on the file of the learned Presiding Officer, Labour Court, Tirunelveli and quash the same as illegal and without jurisdiction.

For petitioner	: Mr. S.Karunakar
For R-2	: Mr. D.Sivaraman
	Standing Counsel
R-1	: Labour Court.

O R D E R

Heard the learned counsel on either side.

2. The prayer in this writ petition is to call for the entire records relating to C.P.No.6 of 2017 filed by the second respondent herein before the learned Presiding Officer, Labour Court, Tirunelveli and for quashing the same.

3. It is obvious that the writ petition has not been filed against any order passed by the Labour Court. Therefore, as and when any orders passed by the Labour Court in the claim petition filed by the second respondent herein, it is open to the petitioner to question the same. As on date none of the legal rights of the writ petitioner have been infringed. It is open to the workman to petition under Section 33 C (2) of Industrial Dispute Act, 1947. It is for the petitioner herein to contest the matter on merits and if aggrieved by the final order, question the same before this Court. At this stage the writ petition is premature.



4. This Writ petition stands dismissed. No costs.
Consequently, W.M.P. (MD). No. 7347 of 2017 is closed.

Sd/-

Assistant Registrar (CS-II)

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/True Copy/

Sub Assistant Registrar

To:

The Presiding Officer,
Labour Court,
Tirunelveli - 11.

+1cc to Mr. S.Karunakar, Advocate Sr.No.49104
+1cc to Mr. D.Sivaraman, Advocate Sr.No.49186

KMI

VB/RSK/SAR1/11.07.2018/2P/4C

ORDER MADE IN
W.P. (MD) .No.9621 of 2017
15.02.2018