

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.10817 of 2011

Workmen of Dongsung Automotive
India Private Limited
Through United Labour Federation
Rep.by its President
Mr.T.V.Paramasivam
No.149, IV Floor, C.J.Complex,
Thambuchetty Street,
Chennai-600 001.Petitioner

vs.

1. The Joint Chief Inspector of Factories
No.617, Bharath Kumar Bhavan
Anna Salai,
Chennai-600 006.
2. The Government of Tamil Nadu
Department of Labour and Employment
Fort. St.George,
Chennai-600 009.
3. The Management of Dong Sung Automotive India
Private Limited
No.112, Singadivakkam, Village and Post
Kanchipuram Taluk,
Kanchipuram District-631561. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records of the 1st respondent in connection with proceedings bearing Ref.No. 11567/10 dated 22.02.2011 and quash the same.

For Petitioner : Mr.V.Prakash,
Senior Counsel
for M/s.K.Sudalai Kannu

For Respondents : Mr.J.Ramesh
Additional Government Pleader
for RR1 & 2
Non-appearance for R3.

O R D E R

The order dated 22.02.2011 passed by the first respondent under Section 65(2) of the Factories Act, is under challenge in the present writ petition.

2. The order impugned dated 22.02.2011 states that the exemption is granted for one year from the date of passing of the award on 22.02.2011. Thus, the period stipulated in the order impugned had already lapsed. Therefore, the cause arose for filing the writ petition has become vanished. Thus, no further adjudication is required and if any grievance exists for the writ petitioner, it is left open to them to adjudicate the same in the manner known to law. The question of law raised in the present writ petition is left open for adjudication in the appropriate proceedings.

3. With these observations, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

ssb

To

1.The Joint Chief Inspector of Factories
No.617, Bharath Kumar Bhavan
Anna Salai,
Chennai-600 006.

2.The Government of Tamil Nadu
Department of Labour and Employment
Fort. St.George,
Chennai-600 009.

+1cc to the Government Pleader SR.91960

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BS(CO)
CB(12/12/2019)