

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2019

CORAM

THE HONOURABLE DR. JUSTICE VINEET KOTHARI
and
THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.A.No.897 of 2013

T.P.Gopal
Member,
All India Overseas Bank Employees' Union,
Indian Overseas Bank,
Information Technology Department,
Central Office,
763, Anna Salai,
Chennai 600 002.Appellant/Petitioner

vs

- 1.The Additional Registrar of Trade Unions
Deputy Commissioner of Labour-I,
DMS Campus, Teynampet,
Chennai 600 006.
- 2.All India Overseas Bank Employees' Union,
Represented by its General Secretary,
763, Anna Salai,
Chennai 600 002.Respondents/Respondents

Prayer: Writ Appeal filed under Clause 15 of Letters Patent against the order dated 20.02.2012 passed by the learned Single Judge in W.P.No.3741 of 2012.

Prayer in W.P.No.3741 of 2012:-

Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of a writ of certiorarified mandamus to call for the records on the file of the 1st respondent Additional Registrar of Trade Unions Chennai-6 and quash the approval given by him on 23.09.2010 of the resolutions of amendments to the bye-laws of the 2nd Respondent union in the meeting on 17.07.2010 and 18.07.2010 which are in violation of the statute under the Trade Unions Act 1926 and the Tamil Nadu Regulations in respect thereof.

For Appellant : Mr.M.Perupulvil Radhakrishnan

For Respondent: Mr.N.Srinivasan for R1
Additional Government Pleader

Mr.C.R.Chandrasekaran for R2

J U D G M E N T

(Judgment of the Court was delivered by Dr.Vineet Kothari,J.)

In view of the subsequent development of amendment to Bye-laws by the 34th General Council Meeting by the Respondent/All India Overseas Bank Employees' Union effected on 22.07.2017, whereby by the amendment, the Honorary Members of the said Union were deleted from the array of candidates, who can contest the election of the said Union and for holding the post of the Executive, the present appeal has become infructuous and the same is accordingly disposed of as infructuous. We leave the questions of law raised in the writ appeal open to be decided in the appropriate case. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

vri

To

1.The Additional Registrar of Trade Unions
Deputy Commissioner of Labour-I,
DMS Campus, Teynampet, Chennai 600 006.

2.The General Secretary,
All India Overseas Bank Employees' Union,
763, Anna Salai, Chennai 600 002.

+1 cc to The Government Pleader, Sr.Nos.53982 and 54076
+2cc to Mr.M.Perupulvil Radhakrishnan, Advocate Sr.53562
[23/09/2019]

W.A.NO.897 OF 2013

NMI (CO)
CSL/30.07.2019