

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:10-09-2019

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.19606 OF 2010

Nethaji Pokkuvarathu Thozhilalargal
Pathukappu Thozhir Sangam,
Represented by its President Mr.M.Anburaj,
Regn. No.1292/2008, No.94, Karuppurayan Koil Street,
Karukkarayan Koil Street, Puliyakulam,
Coimbatore-45.

.. Petitioner

vs.

1. The Secretary to Government,
Transport Department, Secretariat,
Chennai District-600 009.
2. The Deputy Commissioner of Labour,
D.M.S. Building, Teynampet,
Chennai District-600 018.
3. Managing Director,
Tamil Nadu State Transport Corporation,
Kovai (Division), 37, Mettupalayam Road,
Coimbatore District.

.. Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the proceedings of third respondent in his Reference No.30174/NA2/ NAPE/THA.NA.AO.PO.KA(ko)2010 dated 04.08.2010 and quash the same as illegal and consequently direct the respondents to permit the petitioner Trade Union namely Nethaji Pokkuvarathu Thozhilalargal Pathukappu Thozhir Sangam to participate in the oncoming 12(3) Settlement talk to be held by the respondents.

For Petitioner	: Mr.R.Y.George Williams
For Respondent Nos.1&2	: Mr.M.Elumalai, Government Advocate.
For Respondent No.3	: Mr.T.Chandrasekaran.

O R D E R

The order of the third respondent dated 4.8.2010 rejecting the representation of the writ petitioner-Sangam is under challenge in the present writ petition. Further, a direction is sought for directing the respondents to permit the writ petitioner-Trade Union namely, Nethaji Pokkuvarathu Thozhilalarkal Pathukappu Thozhir Sangam to participate in the oncoming 12(3) Settlement talk to be held by the respondents.

2. The very relief sought for in the present writ petition lost its relevance on account of the efflux of time. The 12(3) Settlement was arrived on 01.09.2013 as per the submissions of the learned Government Advocate.

3. The writ petition was filed in the year 2010. During pendency of the writ petition, 12(3) Settlement was arrived between the management and the recognised Unions. Thus, the very relief sought for in the present writ petition to direct the respondents to permit the writ petitioner Trade Union to participate in the oncoming 12(3) Settlement would not exist and the cause aroused for the filing of the present writ petition became vanished. Thus, no further adjudication needs to be entertained in respect of the grounds raised in the present writ petition. However, any other grievance exists for the writ petitioner-Sangam, it is left open to approach the Competent Forum in the manner known to law.

4. With the above observations, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

Svn

To

1. The Secretary to Government,
Transport Department, Secretariat,
Chennai District-600 009.

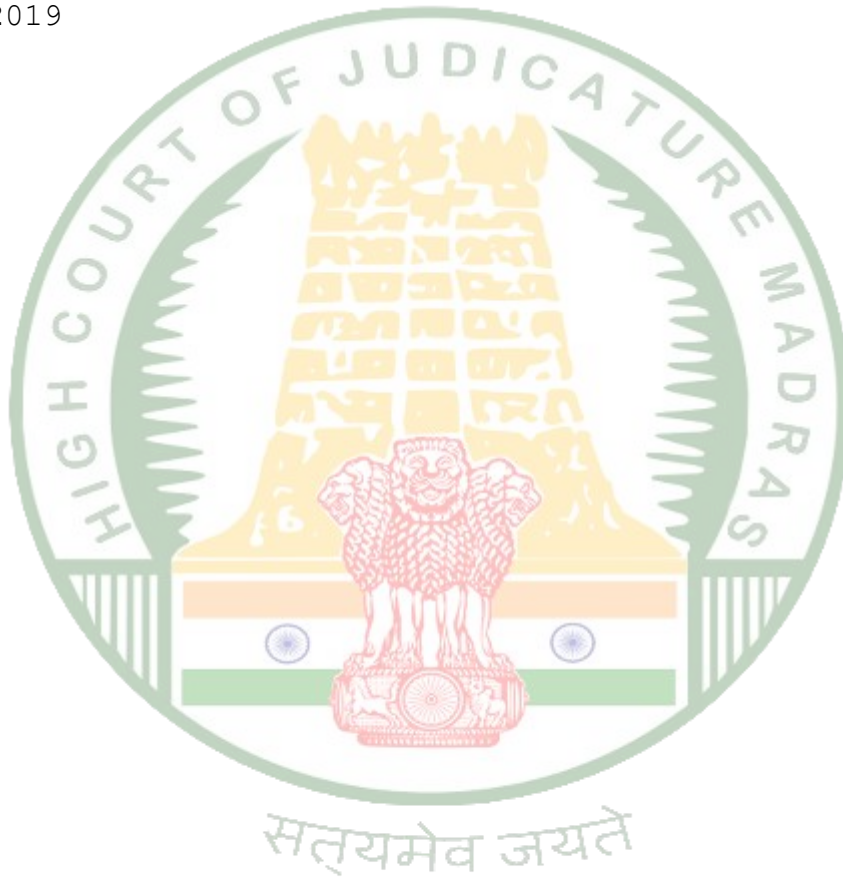
2. The Deputy Commissioner of Labour,
D.M.S. Building,
Teynampet,
Chennai District-600 018.

3. The Managing Director,
Tamil Nadu State Transport Corporation,
Kovai (Division),
37, Mettupalayam Road,
Coimbatore District.

+1cc to Mr.T.Chandrasekaran, Advocate, S.R.No.78085

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RGN (CO)
CS/25/10/2019



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