

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.13321 of 2005
and
W.M.P.No.14587 of 2005

Mr.Janardhanam,
Proprietor,
M/s. Gopi Engineering Works,
2/73, M.C.Road,
Madanur - 635804,
Vellore District.

..Petitioner

Vs.

1. The Deputy Secretary,
Labour Department,
Secretariat, St.George Fort,
Chennai - 9.
2. The Thasildar,
Revenue Department,
Vaniyampadi - Taluk,
Vellore - District.

3. R.Gopal

..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 first respondent in G.O.M.S.No.1532 dated 24.12.2004 quash the same.

For Petitioner : Mr.M.R.Dharani Chander

For R1 and R2 : Mr.J.Ramesh
Additional Government Pleader

For R3 : Mr.J.Saravana Vel

O R D E R

The order passed by the first respondent dated 24.12.2004 issued in G.O.M.S.No.1532 is under challenge in the present writ petition.

2. The learned counsel appearing on behalf of the writ petitioner as well as the learned Additional Government Pleader appearing for the first respondent and the learned counsel appearing for the second respondent made a submission that the impugned Government Order dated 24.12.2004 was issued based on the order passed by the Labour Court, Vellore dated 02.07.2004 in Claim Petition No.289 of 2002. It is brought to the notice of this Court that the said order of the Labour Court was already set aside and therefore, the Government Order cannot be sustained.

3. In view of the fact that the Government Order which was passed, based on the Labour Court Order, was set aside, the writ petition deserves to be considered. Consequently, the impugned

order passed by the first respondent dated 24.12.2004 passed in G.O.M.S.No.1532 stands quashed. Accordingly, the writ petition is allowed. No costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

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To

1. The Deputy Secretary,
Labour Department,
Secretariat, St.George Fort,
Chennai - 9.

2. The Thasildar,
Revenue Department,
Vaniyampadi - Taluk,
Vellore - District.

+1cc to Mr.M.R.Dharani Chander, Advocate SR.No.81485

+1cc to Mr.J.Saravana Vel, Advocate SR.No.81281

+1cc to Government Pleader SR.No.81587

W.P.No.13321 of 2005

PM(CO)
GMY(25/10/2019)