

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.8511 of 2004

&

W.P.M.P.Nos.9994 of 2004 & 164 of 2005

Sri Laxmi Spinner Ltd.,
Having Regd., Officer at
Madurai Road, P.B.No.57,
Virudhunagar - 626 001

Rep. By its

K.Selvaraj

C/o. M/s. Lakshmi Mills Co. Ltd.,

Kovilpatti,

Tuticorin District

... Petitioner

Vs

1. Government of Tamil Nadu,
Labour & Employment Department,
Rep. by its Secretary to Government,
Fort St. George, Chennai - 600 009.

2. Labour Officer,
Office of the Labour Officer,
District Collector Building,
Virudhunagar, Virudhunagar District.

3. Shri Laxmi Spinners Ltd.,
Employees Union (CITU),
49/9, Burma Colony,
Virudhunagar - 626 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorari to call for the records of the first respondent made in G.O.(D) No.1094 dated 20.11.2003 and quash the same.

For Petitioner : Mr.S.Silambanan, Senior Counsel
for Mr.N.Umapathi

For Respondents 1 & 2: Mrs.K.Bhuvaneshwari,
Additional Government Pleader

For Respondent 3 : Mr.P.Rajendran

O R D E R

This petition has been filed to quash G.O.(D) No.1094 dated 20.11.2003 on the file of the first respondent.

2. The grievance of the petitioner is that the dispute before the conciliation authority touched upon the conditions of services of the members of the workers union, whereas the reference made, touches upon the subsequent closure of the spinning mill, which is outside the scope of the Industrial Dispute itself. This Court had, by way of an interim order, stayed the reference itself in G.O.(D).No.1094 dated 20.11.2003.

3. Today when the matter was called, it is represented by the learned Additional Government Pleader pending writ petition all the workers of the petitioner's mill had received their entire settlement.

4. While that being so, no effective orders can be passed in the present writ petition touching upon the reference made by the Government. Hence, G.O.(D).No.1094 dated 20.11.2003 which is impugned in the present writ petition is hereby quashed. Accordingly, the writ petition stands allowed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-VI)

//True copy//

Sub Assistant Registrar

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To

1.The Secretary to Government,
Labour & Employment Department,
Fort St. George, Chennai - 600 009.

2.The Labour Officer,
Office of the Labour Officer,
District Collector Building,
Virudhunagar, Virudhunagar District.

+1cc to Government Pleader SR.No.40665

W.P.No.8511 of 2004

CP(CO)
GMY(28/06/2019)