

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2019

CORAM

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

W.P.No.9265 of 2004

&

W.M.P.Nos.10802 of 2004 & 7250, 7251 of 2006

The Management,
MDA. HSG.6, Thirumangalam,
Co-operative Housing Society Ltd.,
Thirumangalam, Madurai District.

...Petitioner

.Vs.

1. K.Padmakumar

2. Deputy Commissioner of Labour/
Appellate Authority under the
Tamil Nadu Shops and Establishments
Act, Madurai.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue the Writ of Certiorari, to call for the records relating to the order dated 10.06.2003 made in Case No.TNSE 1/97, on the file of the Appellate Authority under the Tamil Nadu Shops and Establishments Act, Madurai, (Deputy Commissioner of Labour) the second respondent herein and quash the same.

For Petitioner : Mr.N.Damodaran

For Respondents: Mr.K.Srinivasamurthy for
M/s. Row & Reddy [R1]
Mr.M.Elumalai [R2]
Govt.Advocate

ORDER

The learned counsel appearing for the writ petitioner filed a memo on 29.06.2018 stating as follows :-

"2. Regarding the back wages payable to the first respondent, this Hon'ble Court wanted to know as to whether any amount has been paid or not to the first respondent and the matter was adjourned by the Hon'ble Court for seeking instruction from the writ petitioner.

3. We submit that on 14.06.2018 we sent a letter to the petitioner by registered post with acknowledgment due calling

upon them to meet me with all the aforesaid particulars or sent information in this regard. We submit that earlier also on 28.04.2017, we sent a letter seeking for the aforesaid particulars to the petitioner.

4. However till this day, we have not received any information from the petitioner nor any body from the petitioner's office contacted us in this regard, though they have received the registered letter sent by us.

5. We are attaching the copy of the letter and the evidence to prove the receipt of the said letter by the petitioner. We are yet to receive the acknowledgment card.

6. In such circumstances, since there is absolutely no co-operation from the petitioner and we are not in a position to report this Hon'ble Court about the present position, we have no other go than to report "No Instructions" to this Hon'ble Court.

7. In the foregoing reasons and circumstances, we are reporting "No Instructions" in the above writ petition and the same may be recorded and appropriate orders may be passed in the above writ petition and thus render justice."

2. In view of the memo filed by the learned counsel appearing for the petitioner as above, no further adjudication is required and accordingly, the writ petition stands dismissed. Connected miscellaneous petitions are closed. No costs.

sni

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To
The Deputy Commissioner of Labour
/Appellate Authority
under the Tamil Nadu Shops
and Establishments Act, Madurai.

+1cc to M/s.Row & Reddy Advocate, vide SR.No.79121
+1cc to Mr.N.Damodaran, Advocate, SR.No.78793

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Kak(22/10/2019)