

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2019

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.6177 of 2018

J.Balaraman

... Petitioner

-Vs-

The Special Officer,
Arakkonam Co-operative Housing Mortgage Society
Rajaji 2nd Street,
Arakkonam,
Vellore District.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondent to sanction death cum service benefit payable to the petitioner's brother namely Rangappa Naidu in view of the Hon'ble Division Bench order made in W.A.No.4149/2003 dated 07.09.2007 based on the petitioner's representation dated 18.01.2017.

For petitioner : Mr.M.Rajendiran

ORDER

The relief sought for in the present writ petition is to implement the order of the Hon'ble Division Bench passed in W.A.No.4149 of 2003 dated 07.09.2007.

2. The learned counsel for the writ petitioner states that the writ petitioner's brother was an employee of Arakkonam Co-Operative Housing Mortgage Society. The brother of the writ petitioner approached the Labour Court challenging the order of termination and Labour Court allowed the petition and in the writ appeal Hon'ble Division Bench passed an order in favour of the workmen. However orders passed by the Hon'ble Division Bench are not implemented by the respondents. Thus, the writ petitioner is constrained to move the present writ petition.

3. In view of the amended Industrial Disputes Act, the brother of the writ petitioner is entitled to file an execution petition under Section 11B of ID Act before the competent Court of Law. Thus, the writ petitioner is at liberty to file an

execution petition in the manner prescribed under the Industrial Disputes Act for seeking implementation of orders passed by the Labour Court.

4. With these observations, the writ petition stands disposed of. No costs.

Sd/-
Deputy Registrar (CJ Conf.)

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Sub Assistant Registrar

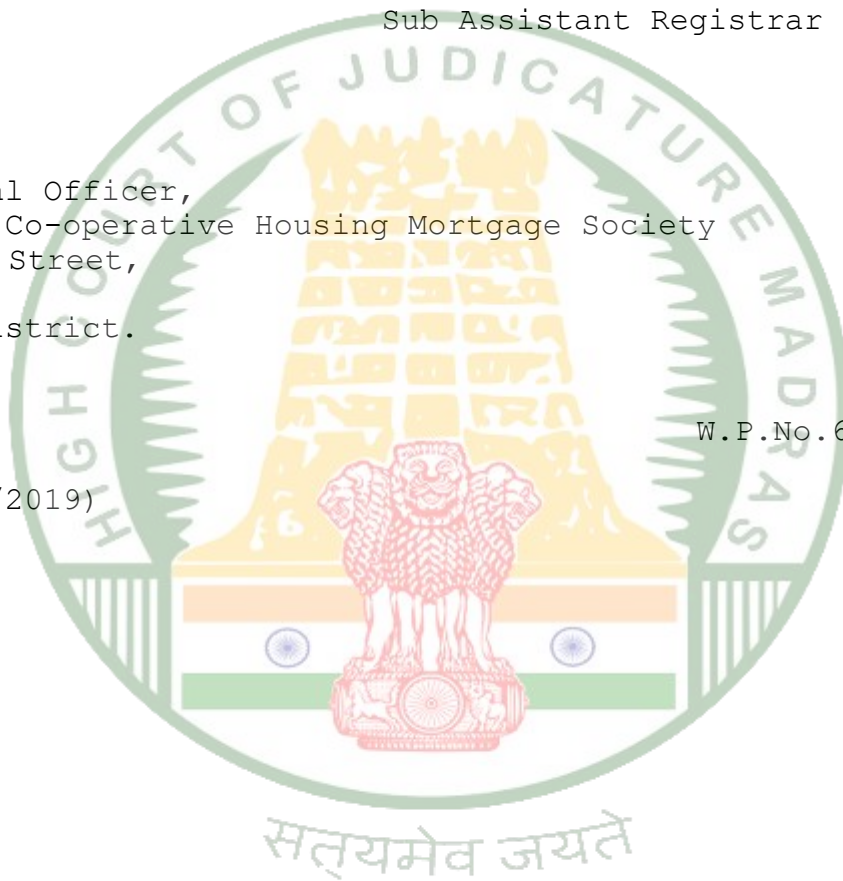
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To

The Special Officer,
Arakkonam Co-operative Housing Mortgage Society
Rajaji 2nd Street,
Arakkonam,
Vellore District.

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SSI (CO)
SSM(22/05/2019)



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