

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.10.2019

CORAM

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

W.P.No.6454 of 2010

Petroleum Employees Association,
Regn.No.375/77,
Rep.by its General Secretary,
C/o.B.P.C.L., Iriumpanam, Kochi,
Kerala-682 309. ... Petitioner

Vs

- 1.Bharat Petroleum Corporation Ltd.,
Rep.by its Dy.General Manager(HRS),
No.1, Ranganathan Gardens,
Off.11th Main Road,Anna Nagar, Chennai-600 040.
2. The Presiding Officer,
Central Government Industrial Tribunal cum
Labour Court, Haddows Road, Shasthri Bhavan,
Chennai-600 006. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Certiorarified Mandamus, to call for the records from the second respondent Central Government Industrial Tribunal cum Labour Court vide its Award dated 19.09.2007 in I.D.No.405 of 2004, quash the same and consequently, quash the punishment imposed by the management viz. "demotion by one grade with reduction in basic pay by one stage" imposed on Charles Rajkumar and the punishment of "reduction in basic salary by one stage" imposed on T.Velusamy as illegal and consequently, restore the benefits that was deprived pursuant to the punishment order dated 20.12.2006 imposed by the management, grant the concerned workmen all the benefits, difference in backwages, with all other consequential and attendant benefits.

For Petitioner : Mr.C.S.Monica
For Respondents:Mr.Anand Gopalan
for M/s.T.S.Gopalan & Co
for R1.
R2-Tribunal

O R D E R

The learned counsel for the respondent produced two letters dated 03.11.2018, which are extracted hereunder:

PEA/033/2018 03rd November 2018
The Chief Manager (HRS) SR,
Bharat Petroleum Corporation Ltd.,
Southern Regional Office, Anna Nagar,
Chennai-40.

Dear Sir,

Please refer to the discussion we had on the issue of the pending case No.6454/2010 and 9830/2004 filed by us against BPCL in the Madras High Court.

We have already decided not to pursue the cases any further and therefore we had requested our Counsel to close these cases in the Madras High Court.

A copy of the letter is enclosed for your records.

Thanking You,

Yours faithfully,
for PETROLEUM EMPLOYEES ASSOCIATION,
(s/d)

B.BALAGOPALAN,
GENERAL SECRETARY.

Encl:a.a.

PEA/032/2018.. 03rd November, 2018.

Senior Adv.R.Vaigai,
No.2, 1st Floor, SM Plaza,
Armeniam Street,
Chennai-1.

Dear Madam,

Please refer to case No.6465/2010 and 9830/2004 filed by us through your esteemed office in the Madras High Court.

As the employees involved in these cases have already retired from the services of BPCL, and the case will not fetch them any benefits, they have requested us to close the case.

In this circumstance, we have decided not to pursue the cases any further and therefore we humbly request you to kindly arrange to close these cases in the Madras High Court.

Thanking You,

Yours faithfully,
for PETROLEUM EMPLOYEES ASSOCIATION,
(s/d)
B.BALAGOPALAN,
GENERAL SECRETARY.

2. In view of the above letter stating that the writ petitioners are not interested in pursuing the writ petition, the writ petition stands closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CJ Conf)

/true copy/

Sub Asst. Registrar

ssb

To

1.The Dy.General Manager(HRS),
Bharat Petroleum Corporation Ltd.,
No.1, Ranganathan Gardens,
Off.11th Main Road,Anna Nagar, Chennai-600 040.

2. The Presiding Officer,
Central Government Industrial Tribunal cum
Labour Court, Haddows Road, Shasthri Bhavan,
Chennai-600 006.

3/4

+1 cc to M/s.T.S.Gopalan & Co Counsel for respondent sr84248

W.P.No.6454 of 2010

aa04/11/2019



WEB COPY