



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 27.11.2019
CORAM:
THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
W.P.No.28518 of 2015

WEB COPY

Tamilnadu State Transport
Employees Union(CITU),
Villupuram rep by its
General Secretary,
R.Murthy,
S.N.Memorial,
89, Lawrance Road,
Cuddalore.

...Petitioner

vs.

1.Secretary to Government of Tamilnadu,
Labour and Employment(P2) Department,
Secretariat, Chennai - 600 009.

2.The Management,
Tamilnadu Transport Corporation,
(Vizhupuram) Ltd.,
Cuddalore Region,
Cuddalore.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent order No.G.O.D.No.189 dated 12.05.2015 and quash the same and consequently to direct the 1st respondent refer the dispute before the Labour Court, Cuddalore.

For Petitioner : Mr.S.T.Varadarajulu

For Respondents : Mr.J.Ramesh,
Additional Government Pleader,
for R1

Mr.K.Kulanthivelu for R2

O R D E R

The order passed by the first respondent in G.O.D.No.189, dated 12.05.2015 is under challenge in the present writ petition.



2.The learned counsel for the petitioner contended that the order impugned is non-speaking and the relevant issues were not considered by the Government. The reason furnished for the rejection of records is absolutely irrelevant and no way connected to the issues raised in the application. Therefore, this Court is of the opinion that the issues are to be reconsidered and the findings are to be provided by assigning reasons. Accordingly, the order impugned dated 12.05.2015 in G.O.D.No.189 is quashed and the matter is remanded back to the first respondent for re-adjudication and to pass orders on merits in accordance with law. The petitioner is directed to submit a copy of the application and all other relevant documents along with the order passed in this writ petition on receipt of the same to the first respondent. The first respondent is directed to pass orders on merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order.

3.Accordingly the writ petition stands allowed. No costs.

Sd/-
Assistant Registrar(CS-)

// True Copy//

Sub Assistant Registrar

tsg

To

1.Secretary to Government of Tamilnadu,
Labour and Employment(P2) Department,
Secretariat, Chennai - 600 009.

2.The Management,
Tamilnadu Transport Corporation,
(Vizhupuram) Ltd.,
Cuddalore Region, Cuddalore.

+1cc to Mr.S.T.Varadarajulu, Advocate, SR.No.

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nr(co)
csr:27/11/2019