

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2019

CORAM

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

W.P.No.30277 of 2013
and
M.P.No.1 of 2013

1.AppammaSamuthiram Panchayat,
represented herein by its President,
V.Chezhiyan, Attur - 636 108,
Salem District. ...Petitioner

Vs.

1.The Presiding Officer,
Labour Court, Salem.

2.C.Dahanapal ...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 relating to the proceedings of the 1st respondent in I.A.No.227 of 2012 in I.D.No.88 of 2007 dated 31-5-2013, quash the same and consequently direct the 1st respondent to summon the records from various authorities as described in the petition in I.A.No.227 of 2012.

For Petitioner : Mr.T.S.Vijaya Raghavan
For Respondents : R1-Labour Court

Mr.R.M.D.Nasrullah for R2

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O R D E R

The order passed by the Labour Court in I.A.No.227 of 2012 in I.D.No.88 of 2007 dated 31.05.2013 is sought to be quashed and further direction to summon the records from various Authorities as described in the Interlocutory Application filed by the writ petitioner.

2.The writ petitioner is AppammaSamuthiram Panchayat. An Industrial Dispute was raised by the second respondent in I.D.No.88 of 2007. The writ petitioner/Management filed an Interlocutory Application after a lapse of five years from raising of the Industrial Dispute for a direction to produce certain documents. The documents sought for is regarding the complaint copy and the copy of the summon. The Labour Court considered the request made by the writ petitioner and made a finding that those documents are irrelevant and unnecessary for the purpose of considering the issues raised in the Industrial Dispute and further made a finding that such Interlocutory Applications are filed to prolong and protract the Industrial Dispute. Accordingly, the Interlocutory Application was dismissed, against which the present writ petition is filed.

3.It is brought to the notice of this Court that the Industrial Dispute is posted for the petitioner side evidence on 29.11.2019 and the adjudication is in progress. Under these circumstances, the findings of the Labour Court made in the Interlocutory Application deserves no further consideration as the reasons cited are candid and convincing. Certain irrelevant and unnecessary documents cannot be sought for by the parties to the Industrial Dispute for the purpose of prolonging the Industrial Dispute. All such applications are to be decided at the earliest possible and the idea of prolongation of litigation can never be encouraged by the Court, when a categorical finding is made that such an Interlocutory Application is filed for production of certain unnecessary documents, with an idea to prolong and progastinate the matter.

4.The labour Court is right in dismissing the Interlocutory Application and there is no infirmity or perversity in the order passed by the Labour Court. Thus, the order passed by the Labour Court in I.A.No.227 of 2012 in I.D.No.88 of 2007, dated 31.05.2013 is confirmed and consequently, the writ petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-IV)

// True Copy//

Sub Assistant Registrar

tsg

To

The Presiding Officer,
Labour Court, Salem.

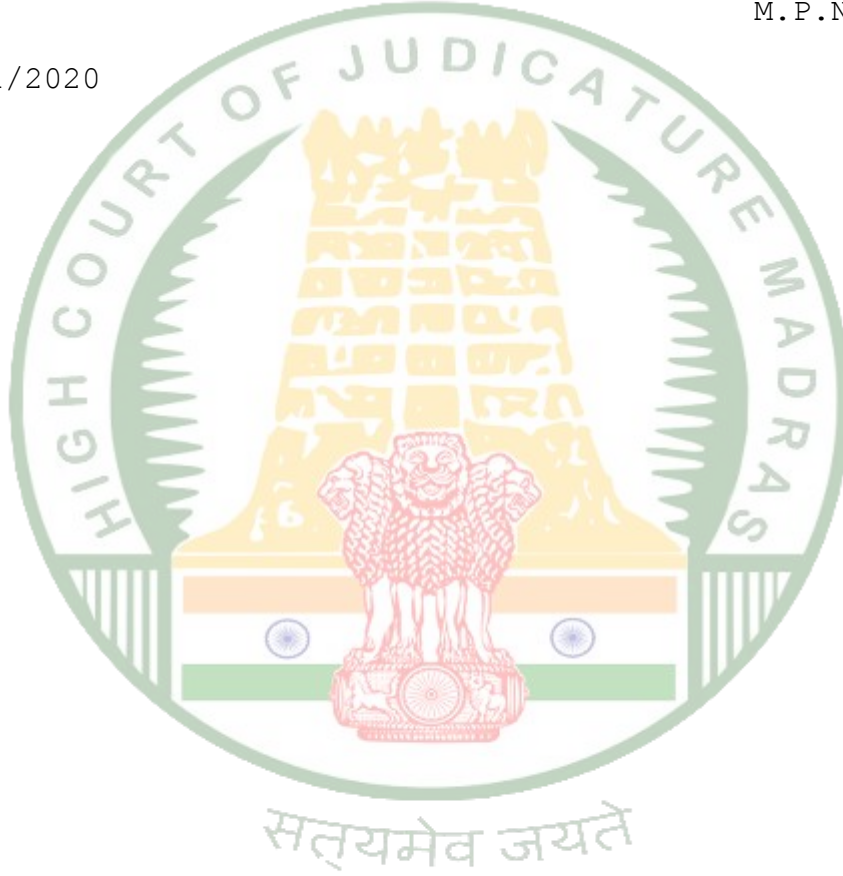
+1cc to Mr.Vivekananthan, Advocate, SR.No.96786.

+1cc to Mr.K.v.Shanmuganathan, Advocate, SR.No.96795.

W.P.No.30277 of 2013
and

M.P.No.1 of 2013

GP (CO)
CSR: 21/01/2020



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