

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28-11-2019

Coram

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.33197 of 2014

And

M.P.Nos.1 to 3 of 2014

EID Parry (India) Ltd., Ariyur Sugar,
Factory Anna Thozhil Sangam,
No.2, Govinda Chettiar Thottam,
Vanarapet, Puducherry-605 001,
Represented by its Secretary,
K.Krishnamoorthy.

.. Petitioner

vs.

1.The Commissioner of Labour Cum
Certifying Officer of the Union Territory,
Gandhi Nagar,
Puducherry.

2.The Deputy Labour Commissioner,
Union Territory,
Gandhi Nagar,
Puducherry.

3.The General Manager-Works & Unit Head,
EID Parry (India) Ltd.,
Ariyur Sugar Factory,
Villianur Commune,
Puducherry-605 110.

.. Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records connected with the Standing Order issued in Standing Order No.12 of 2014 (Clause 44) dated 01.12.2014 passed by the first respondent and quash the same and consequently, direct the third respondent to follow the Standing Order of the erstwhile Management called New Horizon Sugar Mills Limited.

For Petitioner : Mr.S.Ilamvaludhi
For Respondents-1&2 : Mr.A.V.Ramalingam,
Additional Government Pleader
(Puducherry).

For Respondent-3

: Mr.S.Haroon AL.Rasheed for
M/s.T.S.Gopalan and Co.

O R D E R

The Standing Order No.12 of 2014 (Clause 44), dated 01.12.2014, passed by the first respondent, is under challenge in the present writ petition.

2. Even before adjudicating the merits raised in this writ petition, it is brought to the notice of this Court that the writ petitioner in this writ petition already filed Standing Order Appeal before the Labour Court, Puducherry, challenging the very same clause in the Standing Order No.12 of 2014. The said Standing Order Appeal is pending for adjudication before the Labour Court, Puducherry. Thus, the present writ petition deserves no merit adjudication at this point of time as the issues are subjudiced before the Labour Court, as rightly pointed out by the writ petitioner.

3. This being the factum, no further adjudication is required and accordingly, the present writ petition stands closed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar(JJ ACT)

//True Copy//

Sub Assistant Registrar

Svn

To

1.The Commissioner of Labour Cum
Certifying Officer of the Union Territory,
Gandhi Nagar,Puducherry.

2.The Deputy Labour Commissioner,
Union Territory,
Gandhi Nagar,Puducherry.

+1cc to Mr.S.Ilamvaludhi , Advocate SR.No. 93329

+1cc to Mr.T.S.Golpalan and co , Advocate SR.No. 99558

+1 cc to Government Pleader Sr.No. 99805

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A.SK(07/02/2020)