

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.Nos.35149, 35150, 35152, 35153, 35156 & 35157 of 2019
and

W.M.P.Nos.35937, 35938, 35939, 35940, 35941, 35945

The Professional Couriers Chennai Franchisee
Represented by Authorised Signatory
No.32, Thiru Vi.Ka. Road
Royapettah, Chennai-600 014.

...Petitioner in all W.P.s

vs.

- 1.V.Thangaraj
S/o.Veeran ...1st Respondent in W.P.No.35149/2019
- 2.M.S.Kalaiarasan
S/o.M.Subramaniam ...1st respondent in W.P.No.35150/2019
- 3.G.Venkatesan
S/o.R.Gnanavel ...1st respondent in W.P.No.35152/2019
- 4.A.Subramanian
S/o.Arumugam ...1st respondent in W.P.No.35153/2019
- 5.S.Ilanchezhian
S/o.G.Samikkannu ...1st respondent in W.P.No.35156/2019
- 6.S.Raja
S/o.M.Sampath ...1st respondent in W.P.No.35157/2019

- 7.The Labour Deputy Commissioner (Head Quarters)
Office of the Labour Commissioner
5th Floor, Teynampet,
Chennai-600 006. ...2nd Respondent in all W.P.s

Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the 2nd respondent from in any manner proceeding against the petitioners concern in Pa.4/36412/2019, Pa.4/36416/2019, Pa.4/36414/2019, Pa.4/36413/2019, Pa.4/36417/2019 and Pa.4/36415/2019 dated 05.11.2019, based on the industrial dispute raised by the 1st respondent dated 15.10.2019.

For Petitioner in all W.P.s : Mr.M.Mubarak Ahmed
for M/s.Ahmad Associates

C O M M O N O R D E R

All these writ petitions are filed seeking for mandamus to forbear the second respondent from in any manner proceeding against the petitioner concern based on the industrial dispute raised by the first respondents.

2. Heard the learned counsel for the petitioner.

3. The prayer sought for in these writ petitions is to forbear the second respondent from proceeding with the industrial dispute raised by the first respondent. It is stated that the petitioner has raised an objection before the second respondent by raising jurisdictional question. It is also stated that the second respondent has not passed any order so far.

4. Needless to state that it is for the petitioner to raise all the contentions before the second respondent as has been raised in these writ petitions including maintainability, if any, regarding industrial dispute before the second respondent. Without doing so, the petitioner has chosen to file these writ petitions to forbear the second respondent from proceeding with the industrial dispute, which course of action, in my considered view is not proper. Therefore, it is for the petitioner to pursue the matter before the second respondent by raising all the objections, so that the second respondent shall consider and pass appropriate orders on merits and in accordance with law after hearing both parties.

With the above observations, these Writ Petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mk

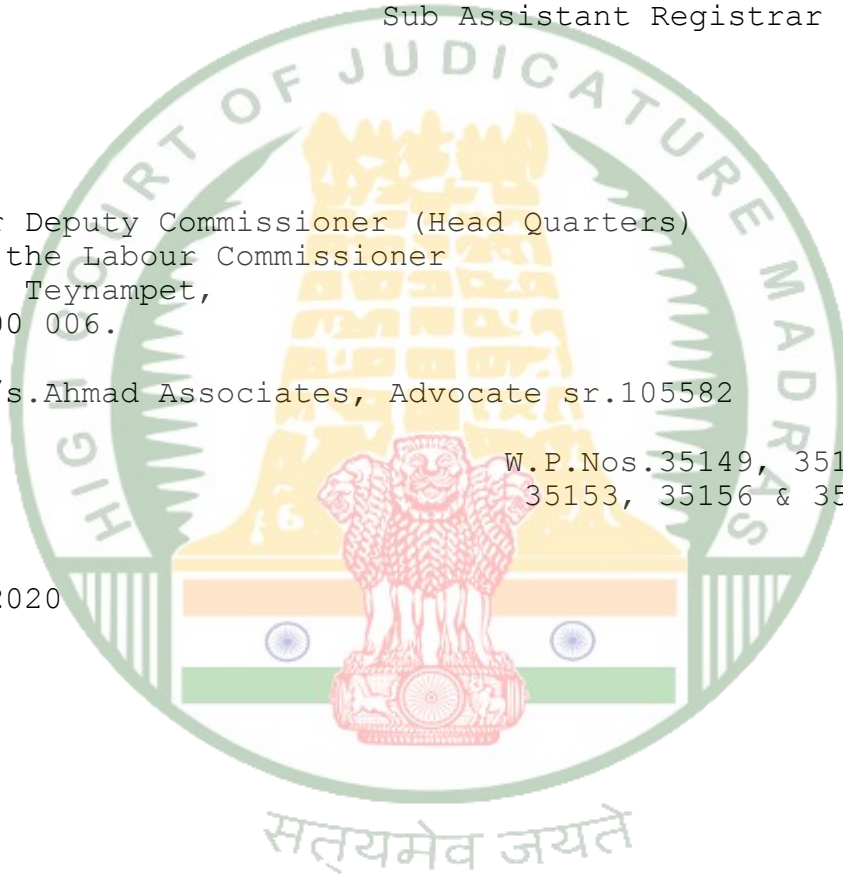
To

The Labour Deputy Commissioner (Head Quarters)
Office of the Labour Commissioner
5th Floor, Teynampet,
Chennai-600 006.

+lcc to M/s.Ahmad Associates, Advocate sr.105582

W.P.Nos.35149, 35150, 35152,
35153, 35156 & 35157 of 2019

rsk(co)
nr 24/01/2020



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