

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.07.2019

CORAM

THE HONOURABLE Mr. JUSTICE V.PARTHIBAN

W.P.Nos.28508, 28515, 28521,
28529 and 28537 of 2018

S.Kanagaraj ... Petitioner in WP.No.28508/2018
K.Maruthamuthu ... Petitioner in WP.No.28515/2018
L.Bommurasu ... Petitioner in WP.No.28521/2018
M.Manoharan ... Petitioner in WP.No.28529/2018
J.Rajasekharan ... Petitioner in WP.No.28537/2018

Vs.

1.The Presiding Officer,
Labour Court, Coimbatore.

2.The Management,
Suguna Poultry Farm Ltd.,
S.F.No.293/1-Varadarajpuram,
Kudimangalam Post,
Madathkulam Taluk
Tirupur - 642 201. ... Respondents in all WPs

Prayer in WP.No.28508/2018: Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the record pertaining to the order dated 02.05.2018 in Un numbered I.D.No. /2018 in CFR No.10951/2018 of the 1st respondent, quash the same and consequently direct the 1st respondent to take 2(A)(2) petition filed by the petitioner on file to decide the issue of his non employment on merit and to pass Award accordingly.

Prayer in WP.No.28515/2018: Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the record pertaining to the order dated 02.05.2018 in Un numbered I.D.No. /2018 in CFR No.10953/2018 of the 1st respondent, quash the same and consequently direct the 1st respondent to take 2(A)(2) petition filed by the petitioner on file to decide the issue of his non employment on merit and to pass Award accordingly.

Prayer in WP.No.28521/2018: Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the record pertaining to the order dated 02.05.2018 in Un numbered I.D.No. /2018 in CFR

No.10961/2018 of the 1st respondent, quash the same and consequently direct the 1st respondent to take 2(A)(2) petition filed by the petitioner on file to decide the issue of his non employment on merit and to pass Award accordingly.

Prayer in WP.No.28529/2018: Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the record pertaining to the order dated 02.05.2018 in Un numbered I.D.No. /2018 in CFR No.10954/2018 of the 1st respondent, quash the same and consequently direct the 1st respondent to take 2(A)(2) petition filed by the petitioner on file to decide the issue of his non employment on merit and to pass Award accordingly.

Prayer in WP.No.28537/2018: Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the record pertaining to the order dated 02.05.2018 in Un numbered I.D.No. /2018 in CFR No.10952/2018 of the 1st respondent, quash the same and consequently direct the 1st respondent to take 2(A)(2) petition filed by the petitioner on file to decide the issue of his non employment on merit and to pass Award accordingly.

For Petitioners : Mr.S.T.Varadarajulu

For 1st Respondent : Court

For 2nd Respondent : No Appearance

COMMON ORDER

When the matter is taken up for hearing, the learned counsel for the petitioners would submit that the writ petitions may be dismissed with liberty to the workmen to raise a dispute under Section 2(k) of the Industrial Disputes Act before the authorities constituted under the provisions of the Industrial Disputes Act, 1947.

2.This request of the learned counsel was made in the circumstances that 2A dispute raised by the workmen was hit by limitation as provided in the Act (Tamil Nadu Amendment Act) and hence, such request is made, since there is no limitation to raise a collective dispute under Section 2k of the Industrial Disputes Act.

3.In view of the same, these Writ Petitions are dismissed. Liberty is granted to the petitioners to pursue their remedy under Section 2k of the Industrial Disputes Act, 1947. No costs.

Sd/-

Assistant Registrar (CS-V)

//True copy//

Sub Assistant Registrar

Sgl

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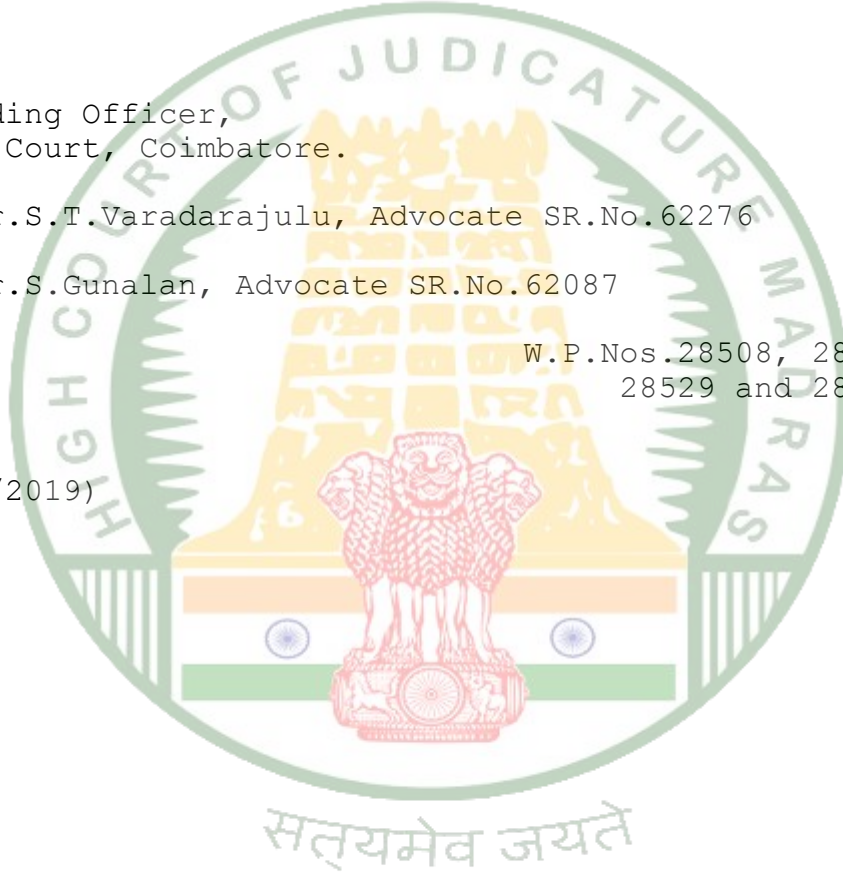
The Presiding Officer,
Labour Court, Coimbatore.

+1cc to Mr.S.T.Varadarajulu, Advocate SR.No.62276

+1cc to Mr.S.Gunalan, Advocate SR.No.62087

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PA (CO)
GMY (30/08/2019)



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