



WEB COPY

BEFORE THE MADURAI BENCH OF THE MADRAS HIGH COURT
DATED : 22.08.2019
CORAM:

THE HONOURABLE Dr.JUSTICE VINEET KOTHARI
AND
THE HONOURABLE Mr.JUSTICE S.M.SUBRAMANIAM

W.A. (MD) No.483 of 2011
and
M.P. (MD) No.2 of 2011

Bharat Heavy Electricals Ltd.,
Tiruchirappalli Unit,
Tiruchirappalli 620 014.
Rep.by its General Manager (HR)

.. Appellant

Vs.

1.The Deputy Chief Inspector of Factories,
Mannarpuram,
Tiruchirappalli 620 020.

2.BHEL Complex Cooperative Labour Contract Society Ltd.,
R Sector Township,
Kailasapuram,
Trichy 620 014.
Rep.by its Special officer.

.. Respondents

PRAYER: Appeal filed under Clause 15 of Letters Patent Act, to set aside the order dated 15.11.2010 in W.P.(MD)No.10138 of 2009 passed by the Learned Single Judge of this Court.

Prayer in WP(MD). 10138/ 2009 :

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari, calling for the records of the 1st respondent in proceedings No. E/1840/2009 dated 17/06/2009 and the consequential proceedings NO. E/1840/2009 dated 15/07/2009 and quash the same.

For Appellant :: Mr.T.S.Gopalan
For Respondents :: Mrs.S.Srimathy, Spl.G.P.for R1
Mr.P.Jesi Jevapriya for R2

JUDGEMENT

(Judgement of the Court was delivered by **Dr.VINEET KOTHARI, J.**)

<https://hcservices.ecourts.gov.in/hcservices/>

The learned counsel at Bar on both sides submitted that since a regular Industrial Dispute has been raised by the BHEL Complex



Contract Labour Welfare Association before the Central Government Industrial Tribunal, Chennai in I.D.No.121 of 2015 under the directions of the Learned Single Judge in W.P.(MD)No.2330 of 2017 (The Executive Director, Bharat Heavy Electricals Limited, Trichirappalli Vs. Central Government Industrial Tribunal and Secretary of BHEL Vala Oppandha Thozhilalar Nala Sangam) decided on 17.07.2017, confirmed by the Division Bench of this Court in W.A. (MD)No.1032 of 2017 on 05.04.2017, the present Writ Appeal filed by Ms.Bharat Heavy Electricals Ltd., has become infructuous.

2.The present Writ petition was filed by the General Management (HR), Bharat Heavy Electricals Limited against the notice dated 17.06.2009 and the consequential proceedings dated 15.07.2009 issued by the first respondent. Since the Learned Single Judge dismissed that Writ petition vide order dated 15.11.2010, the Employeeer / BHEL has filed the present Writ Appeal.

3.However, in view of the subsequent development as stated above and since the matter is pending now before the Central Government Industrial Tribunal, Chennai in I.D.No.121 of 2015 the present Writ Appeal has been rendered as infructuous.

4.We accordingly, dispose of the present Writ Appeal with liberty to the parties to agitate the issue before the Central Government Industrial Tribunal, Chennai. Consequently, connected M.P.is closed. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

To
The Deputy Chief Inspector of Factories,
Mannarpuram, Tiruchirappalli 620 020.

+1 CC to M/s.P.MALINI, Advocate SR NO-83388
+1 CC to M/s.SPL GP , SR NO-83345
+1 CC to M/s.P. JESSI JEEVA PRIYA, Advocate SR NO-83412
+1 CC to M/s.S. SRI MATHY, Advocate, SR NO.-83287

W.A. (MD) No.483 of 2011
22.08.2019

NBJ
MS/12.09.2019/2P.6C