



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.07.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P(MD)Nos. 13568, 13569 and 13570 of 2014

1. G.Balaji ... Petitioner in W.P(MD) No.13568/14
2. S.Chandramartin ... Petitioner in W.P(MD) No.13569/14
- 3.K.Sukumaran ... Petitioner in W.P(MD) No.13570/14

Vs.

1. Tuticorin Alkali Chemicals and Fertilisers Ltd
Rep. by its Managing Director
No.88, Anna Salai, Guindy
Chennai- 32
2. The General Manager
Tuticorin Alkali Chemicals and Fertilisers Ltd
Harbour Construction Road
Tuticorin ... Respondent in all W.P(MD)'s

PRAYER in W.P(MD) No.13568 of 2019: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 02.08.2014 to reinstate him with all backwages and attendant benefits from the date of the order dated 22.05.2013.

PRAYER in W.P(MD) No.13569 of 2019: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 02.08.2014 to reinstate him with all backwages and attendant benefits from the date of the order dated 22.05.2013.

PRAYER in W.P(MD) No.13569 of 2019: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 05.08.2014 to reinstate him with all backwages and attendant benefits from the date of the order dated 22.05.2013.

For Petitioners : Mr.M. Benazir Begum
(in all W.P(MD)s)

For Respondents : Mr.P.Malini
<https://hcservices.ecourts.gov.in/hcservices/> for Mr.T.S.Gopalan (in all W.P(MD)s)

**ORDER**

The relief sought for the in the present writ petitions is for a direction to direct the respondents to consider the representation submitted by the writ petitioners on 02.08.2014, 02.08.2014 and 05.08.2014 respectively to reinstate them into service with all back wages.

2. The learned counsel for the respondents states that the respondent is a private company and therefore the writ petition is not maintainable

3. The respondents in all the writ petitions is Tuticorin Alkaline Chemicals and fertiliser limited, which is company registered under companies Act. The respondent company is not funded by the State or Union, thus it is not a 'State', within the meaning of Article 12 of the Constitution of India. Thus the writ petitioners have to approach the competent forum for the purpose of redressal of their grievances. However no writs can be entertained as the respondents are not the State or instrumentality of the State.

4. Thus the writ petitions stands dismissed as not maintainable. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

+1 CC to M/s.P.MALINI, Advocate (SR-76984[F] dated 23/07/2019)

W.P(MD)Nos. 13568, 13569 and
13570 of 2014
22.07.2019

aav

JMN(13.08.2019) 2P : 2C