



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.07.2019

CORAM:

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.(MD) No.15949 of 2014

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S.Loganathan

... Petitioner

-Vs-

1. Tuticorin Alkali Chemicals and Fertilizers Limited,
Represented by its Managing Director,
No.88, Anna Salai, Guindy,
Chennai- 32.

2. The General Manager
Tuticorin Alkali Chemicals and Fertilizers Limited,
Harbour Construction Road, Tuticorin. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 23.08.2014 to reinstate the petitioner with all backwages and attendant benefits from the date of the order dated 22.05.2013.

For Petitioner : Ms.M.Benazir Begum
For Respondents : Ms.P.Malini
for M/s.T.S.Gopalan & Co.

ORDER

The relief sought for the in the present writ petition is for a direction to direct the respondents to consider the representation submitted by the writ petitioner on 23.08.2014 to reinstate the writ petitioner into service with all back wages.

2.The learned counsel appearing on behalf of the respondents states that the respondent company is a private company and therefore, the Writ Petition is not maintainable.

3.The respondent company is Tuticorin Alkaline Chemicals and fertiliser limited, which is a 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 petitioner has to approach the competent forum for the purpose of redressal of his grievance. However no Writ can be entertained as the respondents are not the State or instrumentality of the State.



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4. With these observations, this Writ Petition stands dismissed as not maintainable. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

+1 CC to Mr. T. S. GOPALAN, Advocate SR-78645.

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