

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2020

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Contempt Petition No.1295 of 2013

The Salem Co-operative Sugar Mills
National Workers Union
Registration No.3792
Mohanur 637 015
Namakkal District
rep.by its Secretary A.Palanisamy

.. Petitioner

-VS-

Mrs.S.Malarvizhi, M.Sc.,
The Special Officer
Salem Coop.Sugar Mills Ltd.,
Mohanur 637 015
Namakkal District

.. Respondent

Petition under Section 11 of the Contempt of Courts Act, 1971
praying to punish the respondent for wilful disobedience of the order of this
Court dated 31.10.2011 made in W.P.No.14971 of 2009.

For Petitioner

::

Mr.R.Rengaramanujam

For Respondent

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Mr.R.Bala Ramesh

Special Government Pleader
(Co-operatives)

ORDER

When the contempt petition was taken up for hearing, learned Special

Government Pleader appearing for the respondent stated that although there is no clear cut finding given by the Deputy Chief Inspector of Factories, who is the Authority under the Tamil Nadu Industrial Establishments (Conferment of Permanent Status) Act, 1981 to regularise the services of the members of the petitioner Union from a particular date and although the subsequent writ petition filed against the said order dated 24.6.2009 made in No.A.1091/2008 was dismissed, by order dated 31.10.2011, not only the services of the 37 workers covered in the order, but also the services of the other persons who have not approached the Authority, were also regularised with effect from 7.1.2014, therefore, nothing survives in the contempt petition.

2. However, the learned counsel appearing for the petitioner submitted that the services of the members of the petitioner Union should have been regularised with effect from 1.3.2008.

3. But there is no finding or conclusion given by the Deputy Chief Inspector of Factories, who is the Authority under the Tamil Nadu Industrial Establishments (Conferment of Permanent Status) Act, 1981 to such a plea. When there is no finding given as to from what date the workmen have

completed their 480 days of continuous working, it will be difficult to follow such an order. Therefore, the contempt petition stands closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

SS

//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER(O.S.)

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SMI/27/05/2020

To

- 1) Special Officer
Salem Co-op sugar Mills Ltd
Mohanur – 637 015
Namakkal District

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