

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.08.2020

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 9847 of 2020

K. Sekar

... Petitioner

-vs-

1. The Commissioner of Labour,
O/o the Commissioner of Labour,
Teynampet, Chennai - 600 006.
2. The Joint Commissioner of Labour - 2,
O/o the Joint Commissioner of Labour - 2,
Teynampet, Chennai - 600 002.
3. UCAL Fuel Systems Limited,
Rep. by its Authorised Signatory,
Plant - 1, E9, E12,
Marai Malai Nagar Industrial Zone,
Marai Malai Nagar,
Chengalpattu District-209
4. UCAL Fuel Systems Thozhilalar Sangam,
Reg. No. 1267/CPT,
Rep. by its President,
Office at Plant - 1, E9, E12,
Marai Malai Nagar Industrial Zone,
Marai Malai Nagar,
Chengalpattu District-209

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Second Respondent to consider and initiate further action in accordance with law on Petitioner's representation dated 13.12.2019, and pass suitable orders on the same within the time frame fixed by this Court.

For Petitioner : Mr. J.Kannan

For Respondents : Mr. D.Sathyaraj,
Special Government Pleader (for R1 & R2)

Mr. V.Ajoy Khose (for R4)

O R D E R
(through video conference)

Heard Mr. J.Kannan, Learned Counsel for the Petitioner, Mr. D.Sathayaraj, Learned Special Government Pleader for the First and Second Respondents, and Mr. V.Ajoy Khose, Learned Counsel for the Fourth Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed for a direction to the Second Respondent to consider and initiate further action in accordance with law on the representation dated 13.12.2019 made by the Petitioner.

3. It is informed by the Learned Special Government Pleader appearing for the First and Second Respondents that the action has been commenced against the Fourth Respondent in furtherance to the aforesaid representation made by the Petitioner and that its outcome is awaited. While proceeding further, it is incumbent upon the First and Second Respondents to afford opportunity of personal hearing to the Petitioner and the Fourth Respondent and consider their respective contentions before taking any final decision in the matter. Though obvious, it is made clear that no view has been expressed by this Court on the factual correctness on the merits of the controversies that have arisen between the Petitioner and the Fourth Respondent.

4. In view of the subsequent developments, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition. He has also filed a memo to that effect through e-mail dated 31.08.2020, which is placed on record.

5. Accordingly, the Writ Petition is dismissed as withdrawn with the clarification that the Petitioner and the Fourth Respondent are at liberty to work out their respective legal remedies before the proper forum in the manner recognized by law, depending upon the ultimate outcome of the decision that may be taken by the Second Respondent in the matter. No costs.

WEB COPY
Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Commissioner of Labour,
O/o the Commissioner of Labour,
Teynampet, Chennai - 600 006.
2. The Joint Commissioner of Labour - 2,
O/o the Joint Commissioner of Labour - 2,
Teynampet, Chennai - 600 002.

+1 cc to Mr.J.Kannan, Advocate Sr.No.28448

W.P. No. 9847 of 2020

rv(o)
rr ii (9/09/2020)



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