



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD)No.3377 of 2012

I.Gnanamuthu Poornaraj

... Petitioner

Vs.

1.The Commissioner,
Department of Employment and Training,
Guindy, Chennai.

2.The Regional Joint Director,
Department of Employment and Training,
Madurai 625020

3.Unemployed Young People's Association,
B-54, Duraisamy Road,
Thirunagar, Madurai-625006.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, direct the 1st and 2nd respondents to implement Govt.L.No.DGET-19(19) 95 - CD, Government of India, Ministry of Labour, dated 16.08.1996 from the date of that Government Letter, as far as the third respondent is concerned.

For Petitioner : Mr.T.Ravichandran

For R1 & R2 : Mr.D.Muruganandham
Additional Government Pleader

For R3 : Mr.K.Sekar

ORDER

The relief sought for in the present writ petition is to direct the respondents 1 and 2 to implement the Government Letter dated 16.08.1996, as far as the third respondent is concerned.

2.The third respondent is Unemployed Young People's Association, is a private Organization. The applicability of the Government order directly is one aspect of the matter and in the event of any grievances in respect of the employees working in the third respondent/Private Organization, no writ petition can be entertained. If at all the writ petitioner is aggrieved, he is bound



to approach the competent forum for redressal of their grievances. Contrarily, this Writ Petition is not entertainable.

3.In view of the fact that the third respondent is a private Organization and in implementation of any Government Order, the petitioner has to approach the competent forum. Thus, the writ petition against the third respondent cannot be entertained and a direction as such sought for to implement the Government Order cannot be issued in the absence of any adjudication. Thus, the petitioner is at liberty to adjudicate the dispute before the competent forum.

4.With the above observation, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

1.The Commissioner,
Department of Employment and Training,
Guindy, Chennai.

2.The Regional Joint Director,
Department of Employment and Training,
Madurai 625020.

+1cc to Special Government Pleader Sr.26012

+1cc to Mr.K.Sekar, Advocate Sr.26154

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MK (CO)

NR (08/01/2020) 2P : 5C