



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.12.2020

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD).No.6541 of 2014

S.Gunaseelan

... Petitioner

-Vs-

1. The Assistant Commissioner of Labour
(Conciliation),
Office of the Assistant Commissioner of Labour,
Trichy-620 020.

2. The Management of Irizar TVS Limited,
Represented by its General Manager,
Trichy Road, Viralimalalai-621 316.

... Respondents

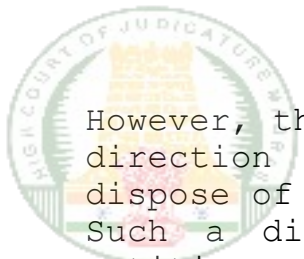
Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent viz the Assistant Commissioner of Labour, Trichy to commence the hearing and dispose the Approval petition filed by the respondent management in Na.Ka.No.A.233/2010, dated 25.05.2010 seeking approval for petitioner's dismissal dated 23.07.2010 within such stipulated time.

For Petitioner : Mr.D.Prabhakar
For Respondents : Mr.P.Mahendran
Additional Government Pleader
(for R1)
Mr.K.Saravanan (for R2)

ORDER

The relief sought for in the present writ petition is to direct the first respondent/Assistant Commissioner of Labour, Trichy to commence the hearing and dispose the Approval petition filed by the respondent-Management in Na.Ka.No.A.233/2010, dated 25.05.2010 seeking approval for petitioner's dismissal, dated 23.07.2010.

2.The matter is pending before the Assistant Commissioner of Labour for the past about ten years. This Court is of the considered opinion that once an approval petition is filed by the employer is to be disposed of within a reasonable period of time.



However, the present writ petition is filed by the workman seeking a direction to the first respondent to commence the hearing and dispose of the approval petition filed by the respondent Management. Such a direction is sought for in view of the fact that the petitioner is out of employment. This being the factum, the first respondent should ensure that the approval petition, if any filed by the petitioner and the same is to be disposed of atleast within a reasonable period of time. If it is not disposed of as of now, then, the first respondent is directed to dispose of the approval petition, if any, as expeditiously as possible, by following the procedures and by providing particulars to the parties concerned.

3. With these directions, the writ petition stands disposed of.
No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sjj

To

The Assistant Commissioner of Labour
(Conciliation),
Office of the Assistant Commissioner of Labour,
Trichy-620 020.

+1cc to Mr.K.Saravanan, Advocate, SR.No.26411.
+1cc to the SPL GP SR.No.26239.

W.P. (MD) .No.6541 of 2014
17.12.2020

MA (CO)
CS (05.01.2021) 2P 4C