



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.10.2021

CORAM

THE HON'BLE MR. JUSTICE M.S.RAMESH

W.P.No.17759 of 2011
and M.P.No.2 of 2011

The Superintending Engineer,
Vellore Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Gandhi Nagar, Vellore - 6.

... Petitioner

Vs.

1.The Presiding Officer,
Principal Labour Court,
Vellore.

2.G.Harikrishnan

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of certiorari calling for the records in common award passed by 1st respondent herein in 298 to 377 of 2004, 422 and 423 of 2004 dated 25.06.2009 on the file of the 1st respondent and quash as far as the C.P.No.423 of 2004 concerned.

For Petitioner : Mr.Waroon for M/s.T.S.Gopalan & Co.

For Respondents : R1 - Court

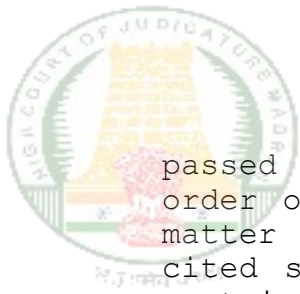
R2 - No appearance

O R D E R

Heard Mr.Waroon, learned counsel for the petitioner.

2.Though the name of the 2nd respondent has been printed in the cause list, none appeared on his behalf.

3.It is brought to the notice of this Court that the order of the Inspector of Labour, based on which the second respondent herein has filed a Claim Petition under Section 33C (2) of the Industrial Disputes Act, 1947, was the subject matter of challenge in a batch of Writ Petitions before the Hon'ble Division Bench in the case of the Superintending Engineer, Nagapattinam EDV Vs. The Inspector of Labour and others reported in 2009 (4) MLJ 472, whereby the orders of the Inspector of Labour were set aside.



passed in the Claim Petition, which arose from the similar order of the Inspector of Labour, which was also the subject matter before the Hon'ble Division Bench in the decision, cited supra, the order made in the Claim Petition cannot be sustained.

5. Accordingly, the impugned order dated 25.06.2009 made in C.P.No.423 of 2004 is quashed and the Writ Petition stands allowed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

va

To

1. The Presiding Officer,
Principal Labour Court,
Vellore.

+1cc to Mr.T.S.Gopalan & Co, Advocate, S.R.No.51906

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GPL (CO)
GN (20/10/2021)