



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P. No.7149 of 2004

and

WMP. Nos.8432 & 8433 of 2004

S.Mohan

...Petitioner

-vs-

1. The Additional Registrar of Trade Unions,
Deputy Commissioner of Labour -I,
Registrar of Trade Unions,
DMS Campus, Tyenampet,
Chennai - 600 006.

2. All India Overseas Bank Employees Union,
rep. by its Secretary having its
Administrative Office, at 763,
Anna Salai, Chennai -2

3. Indian Overseas Bank,
represented by its Chairman & M.D.
763, Anna Salai, Chennai - 600 002.

4. T.P.Gopal

....Respondents

(R4 impleaded as per Court order dated 16.09.2019
in W.M.P.No.60 of 2012 in W.P.No.7149 of 2004)

Prayer: Writ petition iis filed under Article 226 of the
Constitution of India, praying to issue a writ of Mandamus to
directing the first respondent to withdraw the approval of the
resolutions of the meetings on 15.9.2000, 16.9.2000 and
17.9.2000 of the second respondent union, given in blatant
violation of the mandatory provisions contained in the Trade
Unions Act, 1926.

For Petitioner : Mr.K.A.Ravindran

For Respondents : Mr.Lakshmanan for
M/s.Iyer and Dolia for R2
Mr.S.Kanniah for R3
Mr.M.Perumbulavil Radhakrishnan
for R4



O R D E R

This Writ Petition has been filed for a direction to the 1st Respondent to withdraw the Approval of the Resolutions of the meetings conducted by the 2nd Respondent on 15.9.2000, 16.9.2000 and 17.9.2000, on the ground that the Resolutions were in blatant violation of the mandatory provisions of the Trade Union Act, 1926.

2. At the first blush, it is pertinent to state here that the Resolutions of the meetings were of the year 2000 and more than 20 years have gone-by. At this distant point of time, this Court is not inclined to look into the veracity of the Resolutions passed on the subject matter of the writ petition. Moreover, the present Writ Petition is not maintainable, as the remedy lies to the petitioner before a different Forum.

3. In view of the above, finding no merits in the relief sought for, this Writ Petition is dismissed. No costs. Consequently connected miscellaneous petition are also closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

dpq

To

1. The Additional Registrar of Trade Unions,
Deputy Commissioner of Labour -I,
Registrar of Trade Unions,
DMS Campus, Tyanampet,
Chennai - 600 006.
2. The Secretary,
All India Overseas Bank Employees Union,
Administrative Office,
at 763, Anna Salai, Chennai -2
and his office at
Indian Overseas Bank
Ashram Road, Branch,
Ahamedabad - 380 009.



3. The Chairman & M.D.
Indian Overseas Bank,
763, Anna Salai,
Chennai - 600 002.

WEB COPY

+1cc to Mr.S.Kanniah, Advocate, S.R.No.35634

+1cc to Mr.M.Perumbulavil Radhakrishnan, Advocate, S.R.No.35530

W.P. No.7149 of 2004
and
WMP. Nos.8432 & 8433 of 2004

SSI (CO)
RGA (28/09/2021)