



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2021

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

W.P.No.9900 of 2005

and

W.M.P.No.15113 of 2005

S.Malar Mannan

...Petitioner

-Vs-

1. The Secretary,
Labour Department,
For St.George,
Chennai - 600 009.

2. The Presiding Officer,
Principal Labour Court,
Chennai - 600 104.

3. Md.Mohammed Abdul Malick

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 3rd respondent herein to comply with the Principal Labour Court order, the 2nd respondent herein in C.P.No.409 of 1999, dated 28.04.2004 and deposit the said amount into the file of the 2nd respondent herein.

For Petitioner	:	Mr.R.Lawrance
For R1	:	Mr.S.Arumugham, Government Counsel
For R2	:	Court
For R3	:	Disd. vide Court order dated 22.04.2008

ORDER

The limited prayer sought for by the petitioner herein is for a direction to the third respondent to comply with the order of the Principal Labour Court, Chennai passed in C.P.No.409 of 1999, dated 28.04.2004 and consequentially deposit the said amount on the file of the second respondent herein.



2. About 17 years have passed, since the order was passed in the claim petition and the third respondent was also set ex-parte in the proceedings before the Labour Court.

3. At this juncture, it would not be appropriate to render positive directions for compliance of the order, since the present status is unknown. Nevertheless, if the petitioner is granted liberty to make an appropriate representation before the third respondent seeking for implementation of the order of the Labour Court, dated 28.04.2004, with a consequential direction to the third respondent to consider the same within a stipulated time, the ends of justice could be secured.

4. In the light of the above observations, the petitioner is granted liberty to make an appropriate representation to the third respondent, ventilating his grievances and on receipt of the same, the third respondent shall consider it on its own merits and take appropriate course of action in accordance with law, within a period of six weeks from the date of receipt of the representation. The Writ Petition stands disposed of, accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

hvk/ata

To

1.The Secretary,
Labour Department,
For St.George,
Chennai- 600 009.

2.The Presiding Officer,
Principal Labour Court,
Chennai - 600 104.

+1cc to the Government Pleader Sr No.48533

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and
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GPL (CO)
PR (12/10/2021)