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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.23906 of 2013

and

M.P.No. 2 of 2013

Tamilaga Ammaippusara Udal Ulaippu
Tholilalar Manila Sangam,
Regd No.523/DRP,
Represented by its President
M.P.Ilansuriyan,
No.454, Salem Main Road,
Krishnagiri District

... Petitioner

-Vs-

1. The Secretary to Government,
Tamilnadu Construction Workers Welfare Board,
No.8, Valluvarkottam main Road,
Nungambakkam,
Chennai-34.

2. The Labour Officer,
Social Security Scheme,
Construction Workers Welfare Board,
Near L.I.C Salem Road,
Krishnagiri.

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari calling for the records relating to the impugned proceeding Na.Ka.A/78/11 dated 08.03.2011 from the file of the second respondent and quash the same.

For Petitioner : M/s.R.T.Sundari

For Respondents: Mr.M.R.Gokul Krishnan
Government Advocate.

ORDER

This Writ Petition has been filed for issuance of Writ of Certiorari calling for the records relating to the impugned proceedings of the second respondent in Na.Ka.A/78/11 dated 08.03.2011 and quash the same.



2. Heard M/s.R.T.Sundari, learned counsel appearing for the petitioner and Mr.M.R.Gokul Krishnan, learned Government Advocate appearing for the respondents.

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3. The case of the petitioner is that the petitioner is a Society functioning from 31.01.2002 in discharging social service and it has more than two lakhs members. It is duly registered under the Trade Union Act 1926. The first respondent Board is constituted by the Tamilnadu Government to implement the welfare schemes such as Educational Assistance, Marriage benefits, Maternity benefit, Death benefit, Accident benefit and Old Age Pension etc. The petitioner is functioning in each District under the leadership of the District President and Secretary.

4. While being so, the second respondent found that the petitioner has issued fabricated death certificate and also fabricated certificates as if issued by the Village Administrative Officer and fabricated certificate as if issued by the Head Master to get benefit for the beneficiaries. Therefore, there are very serious allegations as against the petitioner and as such the second respondent passed an order thereby stopped the functions of the petitioner temporarily, since the benefits are not disbursed to the original beneficiaries.

5. Therefore, this Court finds no infirmity or illegality in the order passed by the second respondent. Hence, the Writ Petition is devoid of merits. However, the second respondent is directed to conduct an enquiry in this regard and pass final order, in accordance with law.

6. With the above direction, the Writ Petition stands dismissed. Consequently, the connected Miscellaneous Petition is closed. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

Lpp/mnTo

1. The Secretary to Government,
Tamilnadu Construction Workers Welfare Board,
No.8, Valluvarkottam main Road,
Nungambakkam,
Chennai-34.



2. The Labour Officer,
Social Security Scheme,
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+1cc to the Government Pleader, S.R.No.45901

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PCH (CO)
CB(06/10/2021)