



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.12.2021

CORAM

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.NO.7127 OF 2017

Kanchanamala

... Petitioner

..Vs..

1. The Deputy Director of Labour
and Trade Unions,
Bedford, Coonoor.
2. The Indian National Trade Union
Congress (INTUC),
Rep. by its General Secretary,
Rockby, Near Uzhavar Chanthai,
Coonoor, Nilgiris District.
3. The President,
The Indian National Trade Union
Congress (INTUC),
Rockby, Near Uzhavar Chanthai,
Coonoor, Nilgiris District.

... Respondents

PRAYER:- Petition filed Under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the 1st respondent to consider the representation dated 06.02.2017 and conduct enquiry.

For Petitioner : Mr.S.S.Raghavan

For R1 : Mr.M.S.Prem Kumar
Government Advocate

For R2 & R3 : No appearance

O R D E R

This Writ Petition has been filed, seeking for issuance of a Writ of Mandamus to direct the 1st respondent to consider the representation dated 06.02.2017 and pass orders after conducting an enquiry.



2. According to the petitioner, her father Late K.R.Bellie Gowder was the General Secretary of INTUC and in recognition of his services and with a view to honour and revere his memories, a marriage hall, named "K.R.Bellie Gowder Kalyana Mandapam" was constructed by the 2nd respondent and a granite tabloid was also embedded in the wall. While so, the grievance of the petitioner is that now the present Office bearers have removed name of the petitioner's father in the hoarding displayed at the Kalyana Mandapam. Hence, in this regard, the petitioner made a representation dated 06.02.2017 to the 1st respondent, seeking to conduct enquiry and take proper legal action.

3. Mr.M.S.Prem Kumar, learned Government Advocate appearing for the 1st respondent would submit that it is the dispute with regard to the removal of the name of the petitioner's father from the hoarding displayed at the Kalyana Mandapam. He submitted that initially, the Kalyana Mandapam was named in the petitioner's father as per the decision of the then Managing Committee of the Labour Union. However, the present Managing Committee does not want to keep the name of the petitioner's father and accordingly, they have removed the same. Therefore, the 1st respondent cannot interfere into the internal affairs of the said Union/2nd and 3rd respondents. Hence, he prayed for dismissal of this writ petition.

4. Upon hearing from the parties and the perused the materials on record.

5. The petitioner has filed this writ petition to direct the first respondent to dispose of her representation made on 06.02.2017 against the removal of her father's name, which was initially named as K.R.Bellie Gowder Kalyana Mandapam. This Court is unable to understand as to how the 1st respondent will interfere and direct the said Union to keep the name of the petitioner's father, which was initially styled in the name of her father as a recognition to the service rendered by him. This is purely an internal affair of the Union which took the decision not to continue the Mandapam in the name of the petitioner's father even though the previous Union had recognized the services of the petitioner's father and with a view to honour him, the said kalyana mandapam was named with his name. Subsequently, the present union members of the view that they do not want to keep the name of the petitioner's father after the demise of the petitioner's father. It is the decision of the Union and it cannot be questioned by way of a writ petition and the role of the 1st respondent to interfere with the internal affairs of the Union is also remote. Even, if this Court directs the 1st respondent to dispose of the representation, there would be no likelihood passing the order in favour of the petitioner. Such being the case, this Court



does not find any merit in the submissions made by the learned counsel for the petitioner. In the result, the present Writ Petition is liable to be dismissed.

6. Accordingly, this Writ Petition is dismissed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sp/jd

To

1. The Deputy Director of Labour
and Trade Unions,
Bedford, Coonoor.
2. The General Secretary,
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Rockby, Near Uzhavar Chanthai,
Coonoor, Nilgiris District.
3. The President,
The Indian National Trade Union
Congress (INTUC),
Rockby, Near Uzhavar Chanthai,
Coonoor, Nilgiris District.

+1cc to Mr.R.Subramanian, Advocate, S.R.No.63978
+1cc to the Government Pleader, S.R.No.64038

W.P.NO.7127 OF 2017

EV(CO)
PBS/07/01/2022