



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:17.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD)No.15026 of 2011

and

M.P (MD)No.1 of 2011

The Management,
A 2905 Madurai Janatha Co-operative
Stores Limited, through its Special
Officer, 81-A, Munichalai Road,
Madurai-625 009.

... Petitioner

Vs.

1.The Appellate Authority Under the
Tamil Nadu Shop and Establishment Act
(Deputy Commissioner of Labour)
K.K.Nagar, Madurai-20.

2.S.Karuppiah

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records from the 1st respondent's impugned order made in T.N.S.E.Appeal No.4/2008, dated 08.02.2011 and quash the same as illegal.

For Petitioner : Mr.R.Saravanan
For R2 : Disd. For Default on
15.03.2013

ORDER

This writ petition is filed challenging the order dated 08.02.2011 passed by the first respondent in T.N.S.E.Appeal No.4/2008, in favour of the second respondent.

2.This Court, while entertaining the writ petition, has granted an order of stay on 23.12.2011. However, subsequently, for non-serving of summons to the second respondent, this Court dismissed the writ petition for default on 15.03.2013, as against the second respondent. As against the contesting second respondent, this writ petition was dismissed, the petitioner has not taken any steps for filing appropriate petition. Subsequently, this Court by order dated 06.12.2013 while admitting the writ petition, issued notice to the first respondent, however no notice was ordered to the second



respondent on the ground that already this writ petition was dismissed against the second respondent, but, liberty is given to the petitioner to take private notice to restore the second respondent in the writ petition.

3. Since the second respondent is the contesting respondent and no steps having been taken by the petitioner to restore the dismissal order passed against the second respondent, no further order is required in this writ petition and accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (A.S.)

// True Copy //

Sub Assistant Registrar (CS)

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To
The Deputy Commissioner of Labour/
(The Appellate Authority Under the
Tamil Nadu Shop and Establishment Act)
K.K.Nagar, Madurai-20.

1CC TO MR. R.SARAVANAN, ADVOCATE SR 5731
1CC TO THE SPL GOVT PLEADER SR 5924

GS
05/05/2021
2P/4C

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and
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