



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2021

CORAM:

THE HONOURABLE MR. JUSTICE M. S. RAMESH

W.P. (MD) No.4470 of 2021

and W.M.P. (MD).No.3594 of 2021

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Kanya Kumari Mavatta Bharateeya Sumai thookkum Thozhilalar Sangam
Thadikarankonam Branch,
Rep. by it's President,
Thiru.Palvarnan,
Regd.No.318 Kkm,
Bharathiya Mazdoor Sangh,
CMS Area,
Thadikarankonam,
Thovalai Taluk,
Kanya Kumari District. ...Petitioner

Vs.

- 1.The District Collector @ Kanya Kumari District,
Nagercoil.
- 2.The Superintendent of Police,
@ Kanya Kumari District,
Nagercoil.
- 3.The Revenue Divisional Officer,
Nagercoil,
Kanya Kumari District.
- 4.The Inspector of Police,
Keeriparai Police Station,
Thovalai Taluk,
Kanya Kumari District.
- 5.The Tahsildar,
Thovalai Taluk,
Kanya Kumari District.
- 6.The Joint Commissioner of Labour,
Palayamkottai,
Tirunelveli.
- 7.The Deputy Commissioner of Labour (Mediation),
Nagercoil,
Kanya Kumari District.
- 8.The District Labour Officer,
Nagercoil,
Kanya Kumari District.



9.Azhagarasan

10.Shabi

11.Rajan

12.Chelladurai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 7th respondent to complete the enquiry in his proceedings bearing Na.Ka.No.512/2020 dated 07.12.2020 in reference to the petitioners application bearing No.56476 within a stipulated period of time as directed by this Court in accordance to the provisions of the Tamil Nadu Manual Workers (Regulation of Employment and Conditions of Work) Act, 1982 and consequently direct the 7th respondent to ensure the right of employment of the members of the petitioner union registered in the roll of manual workers maintained by the 6th respondent.

For Petitioner : Mrs.L.Victoria Gowri

For Respondents : Mrs.V.P.M.Vaishnavi for RR1 to 8
Government Advocate

O R D E R

Since no adverse order is going to be passed against the respondents 9 to 12, notice to them is dispensed with and by considering the facts of the case, and by consent of the parties available, this writ petition is taken up for final disposal at the admission stage itself.

2.The limited prayer sought for in the present writ petition is for a direction to the 7th respondent to complete the enquiry in his proceedings bearing, Na.Ka.No.512/2020, dated 07.12.2020, in reference to the petitioners' application bearing No.56476, within a stipulated period of time, in accordance to the provisions of the Tamil Nadu Manual Workers (Regulation of Employment and Conditions of Work) Act, 1982 and consequential direction to ensure the right of employment of the members of the petitioner union registered in the roll of manual workers maintained by the 6th respondent.

3.The learned Government Advocate appearing for the respondents, on instructions submitted that the 7th respondent may require three months time to complete the enquiry.

4.In view of the submission made by the learned Government Advocate, there shall be a direction to the seventh respondent to complete the enquiry in his proceedings bearing, Na.Ka.No.512/2020, dated 07.12.2020, in reference to the petitioners' application bearing No.56476, within a period of three months from the date of receipt of a copy of this order.



5. Accordingly, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

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/ /2021

Sub Assistant Registrar(CS)

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

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Nagercoil.
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+1 CC to M/s.SPL GP (SR-9196[F] dated 05/03/2021)

+1 CC to M/s.L.VICTORIA GOWRI, Advocate (SR-8691[F] dated
04/03/2021)

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PM(CO)
KB(23.03.2021) 4P 11C