



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD)No.10632 of 2020

(Through Video Conference)

Puthiya Thamilagam Thozhil Sangam (TNSTC),
Represented by its General Secretary,
(Registration No.870/TIN)
K.M.Ramar

... Petitioner

Vs

The Joint Commissioner of Labour,
Combined Labour Office Campus,
Thirumal Nagar,
Tirunelveli - 07

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to issue a copy of a registration certificate of the petitioner's trade union bearing registration No.870/TIN, by considering the representation of the petitioner dated 19.03.2020 in the light of Rule 23(4) of the Tamil Nadu Trade Unions Regulations-1927, within a time frame as may be fixed by this Court.

For Petitioner	: Mr.I.Suthakaran
	For Mr.A.Mohan
For Respondent	: Mr.S.Dhayalan,
	Government Advocate

O R D E R

It is the case of the petitioner that the Labour Association namely "Puthiya Thamilagam Thozhil Sangam (TNSTC)", Tirunelveli was registered under the Trade Unions Act in registration No.870/TIN. Seeking a copy of the registration certificate, the petitioner has made an application and since the copy of the same was not furnished, the present writ petition has been filed.

2. Mr.S.Dhayalan, learned Government Advocate submitted that since objections have been raised by a rival trade union, the registration certificate could not be furnished to the petitioner.

3. I am not in agreement to such an objection. If at all there are rival disputes between two trade unions, such an industrial dispute can be resolved in the appropriate Labour forums. However, what the petitioner seeks in the present case is only a copy of the Registration Certificate which has already been registered and admittedly not cancelled. When an eligible person applies for such a copy with a public Authority, there is a bounden duty cast upon such Authority, to issue a copy of the registration certificate, so



long as the application has been validly made. Hence, this Court finds some force in the submission made by the learned counsel for the petitioner that he would be entitled for a copy of the registration certificate of their trade Union bearing registration No.870/TIN.

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4. It is brought to the notice of this Court that the petitioner has also made a representation on 19.03.2020 seeking for a copy of the registration certificate and such a representation is still pending. This Court is of the view that if the respondent is directed to consider the petitioner's representation dated 19.03.2020 within a time frame, the ends of justice could be secured.

5. In the light of the above observations, the respondent herein shall take into consideration the observations made in this order and accordingly, consider the petitioner's representation dated 19.03.2020 atleast within a period of one week from the date of receipt of a copy of this order and issue a copy of the Registration Certificate, under Registration No.870/TIN.

6. The writ petition stands allowed accordingly. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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:

The Joint Commissioner of Labour,
Combined Labour Office Campus,
Thirumal Nagar,
Tirunelveli - 07

+1 CC to M/s.SPL GP (SR-257[F] dated 06/01/2021)

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