



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2021

CORAM

The Hon'ble Mr.JUSTICE T.S.SIVAGNANAM

AND

The Hon'ble Mrs.JUSTICE S.ANANTHI

C.M.P (MD)No.4357 of 2016

in

W.A(MD) .SR.No.12253 of 2016

The Managing Director,
National Co-Operative Sugar Mills Ltd.,
B.Mettupatti 625 502.
Alanganallur Via,
Madurai District.

... Petitioner/Appellant

Vs.

1. The Deputy Director of Industrial
Safety and Health, II Circle,
Madurai, Authority under TIE(CPSW) Act.

2. Thiru.M.Krishnan.

....Respondents/Respondents

Prayer in C.M.P (MD) .No.4357 of 2016: This petition is filed under Section 5 of the Limitation Act, to condone the delay of 38 days in filing the above appeal.

Prayer in W.A(MD) .SR.No.12253 of 2016: Appeal under Clause 15 of the Letters Patent, against the order dated 06.01.2016, passed in M.P(MD) Nos.1 of 2015 in W.P.(MD) Nos.18865 of 2015.

Prayer in MP(MD). 1/ 2015 in WP(MD).18865/2015 :

To stay all further proceedings of the impugned order dated ..06/2014 in No.B/2019/2010-18 passed by the Deputy Director of Industrial Safety and Health, II Circle, Madurai pending disposal of the WP.

Prayer in WP(MD). 18865/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari to call for the records relating to the order dated ... 06.2014 in No.B/2019/2010-18 issued by the Deputy Director, Industrial Safety and Health, Circle-2, Madurai, the first respondent herein and quash the same.



For Petitioner : Mr.P.Chandrabose

Respondents : No Appearance

WEB COPY

ORDER

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

Heard Mr.P.Chandrabose, learned counsel appearing for the petitioner.

2. There is a delay of 38 days in filing the appeal and the condone delay petition was filed in the year 2016. On 01.06.2016, notice was ordered to the respondents through Court and privately. Batta for sending notice through Court has not been remitted by the petitioner and the proof of service of private notice has also not been filed. Therefore, in this due time, it is inequitable to keep the matter pending, especially, when the order impugned is only an interim direction. It is not clear as to whether the interim direction is implemented or not. If it is not implemented, obviously, the workman could have filed the contempt petition. Therefore, we are of the view that ends of justice would be met, if the writ petitions are listed for hearing at an early date.

3. Accordingly, this petition stands disposed of as unnecessary and all the pending writ petitions are to be listed for final hearing before the appropriate Bench of this Court, preferably, during the 3rd week of July, 2021.

4. Accordingly, this Civil Miscellaneous Petition is disposed of. Consequently, the connected W.A(MD).SR.No.12253 of 2016 is rejected at the S.R. stage itself. No costs.

Sd/-

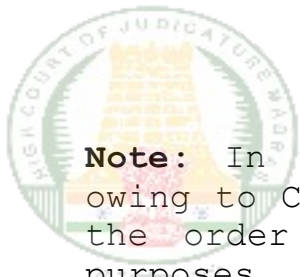
Assistant Registrar (W)

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/ /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

- 1.The Deputy Director of Industrial Safety and Health, II Circle, Madurai, Authority under TIE(CPSW) Act
- 2.The Registrar(Judicial), Madurai Bench of Madras High Court, Madurai.
- 3.The Section Officer, Judicial Section, Madurai Bench of Madras High Court, Madurai. (Direction given in para No.3 of this Judgment)

C.M.P (MD) No.4357 of 2016

in

W.A (MD) .SR.No.12253 of 2016

07.06.2021

KM(14.06.2021) 3P 4C