



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.12.2021

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

C.R.P. (PD) (MD) No.1819 of 2021

and

C.M.P. (MD) No.9752 of 2021

WEB COPY

The Liability Officer/Co-operative Sub-Registrar,
A - 2547, Pasumalai Urban Co-operative
Credit Society Ltd.,
37-A, G.S.T.Road, Pasumalai,
Madurai-625 004.

.. Petitioner/Respondent/
Respondent

-vs-

N.Nagarajan

.. Respondent/Petitioner/
Claimant

Prayer :- Petition filed under Article 227 of the Constitution of India to call for records from the Labour Court, Madurai in I.A.No.172/2021 in C.P.No.52/2020 and set aside the order passed in I.A.No.172/2021 dated 26.10.2021 and direct the respondent herein to approach the revision petitioner and get the photo copies of the required records.

For Petitioner : Mr.A.Selvam

For Respondent : Mr.V.O.S.Kalaiselvam

ORDER

The revision petitioner/respondent in I.A.No.172 of 2021 in C.P.No.52 of 2020 has filed this revision challenging the order dated 26.10.2021 passed by the Presiding Officer, Labour Court, Madurai.

2.I.A.No.172 of 2021 was filed by the respondent herein for a direction to the petitioner to produce the following documents by the petitioner herein:-

(i) Audit Report from 01.04.1986 till date;



(ii) Register of Rectification/compliance of the deficiencies observed in the Audit Report for the year 2000 onwards;

WEB COR (iii) The Service Record of the petitioner;

(iv) The By-law of the Society with Amendments from 1986;

(v) The Special By-law of the society with amendments from 1986;

(vi) The agreements/G.O.s on wage/Pay Revision from 01.04.1986;

(vii) The Salary Registers for the period from 01.04.1986; and

(viii) The Resolution Registers for the period from 01.04.1986.

3. Aggrieved by the order passed by the Presiding Officer in allowing the application filed by the respondent, the petitioner is before this Court.

4. The grievance of the petitioner is that all these documents are voluminous and pertain to not only the respondent, but other employees as well. Therefore, unless the respondent points out the document that relates to him and it is necessary to prove his case, producing the entire document would not only be cumbersome, but also the same cannot be left back in the court till the disposal of the proceedings, as these documents not only relate to the respondent, but also others.

5. Heard the learned counsel on both sides.

6. After hearing both the parties, this Court suggested that the revision petitioner society do permit the respondent to peruse all the records in the premises of the revision petitioner with legal assistance and identify the documents that he requires. On such identification, the revision petitioner shall take out a copy of the same, certify it and handover the same to the respondent. Both counsels have agreed to the above suggestion.

7. In view of the above, this Civil Revision Petition is partly allowed with the following directions:-



(i) The respondent shall come over to the premises of the revision petitioner/Society on 30.12.2021 and the revision petitioner shall make available the documents listed in the impugned application;

WEB COPY (ii) The respondent shall be assisted by his Advocate and after perusing the documents, he shall point out the documents that he requires for proving his case and on such pointing out, the revision petitioner/Society shall take a copy of the same, certify it to be the true copy and handover the same to the respondent; and

(iii) The respondent shall produce the original register relating to anyone of the document, if so required by the Court. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

abr

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 Presiding Officer, Labour Court, Madurai.
- 2 The Liability Officer/Co-operative Sub-Registrar,
A - 2547, Pasumalai Urban Co-operative
Credit Society Ltd.,
37-A, G.S.T.Road, Pasumalai, Madurai-625 004.

1cc TO MR. V.O.C.KALAISELVAN, ADVOCATE SR :28257

1CC TO MR. A.SELVAM, ADVOCATE SR 38640

MGJ 16/12/2021 3P/5C

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