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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2022

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THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 23070 of 2016

and

W.M.P. Nos. 19761 and 22875 of 2016

Dhinakuli Tholilalar Sangam,
Represented by its President- K.Sampath,
Thirutani Cooperative Sugar Mill,
Thiruvalangadu- 631 210.
Tiruvallur District.

... Petitioner

-vs-

1. The State of Tamil Nadu,
Represented by its Secretary,
Labour and Employment Department,
Fort St.George, Chennai - 600 009.
2. The General Manager,
Tamilnadu Sugar Corporation,
Chennai - 600 035.
3. The Commissioner of Sugar,
No. 600, Anna Salai,
Nandanam, Chennai - 600 035.
4. The Managing Director,
Tiruttani Co-operative Sugar Mills Ltd.,
Tiruvalangadu - 631 210.
Tiruvallur District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, direction declaring the appointment (Labour Category) made as invalid abinitio and void and forbearing the Fourth Respondent without considering the Petitioner and also execute the order passed by the Tamilnadu Industrial Deputy Inspector of Factories, Tiruvallur District (as per the judgment in Case No. 01 of 2009) dated 24.01.2011.

For Petitioner : Mr. S.Ezhil Raj



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For Respondents : Mr. M.R.Gokulakrishnan
Additional Government Pleader
(for R1 to R3)

Mr.Bala Ramesh (for R4)

O R D E R

Heard Mr. S.Ezhil Raj, Learned Counsel for the Petitioner, Mr. M.R.Gokulakrishnan, Learned Additional Government Pleader appearing for the First to Third Respondents and Mr. Bala Ramesh, Learned Counsel for the Fourth Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. When it is pointed out that the Petitioner has an effective alternative remedy to raise an industrial dispute under Section 2-A of the Industrial Disputes Act, 1947, before the jurisdictional Labour Court, Learned Counsel for the Petitioner seeks permission of the Court to withdraw this Writ Petition with liberty to proceed with the said procedure and he has also made an endorsement to that effect in the court record. It is made clear that for the purpose of reckoning limitation for availing the aforesaid remedy, the period from the date of filing of the Writ Petition, viz., 27.06.2016, till the date on which the certified copy of this order is made ready by the Registry, shall be excluded.

3. In fine, the Writ Petition is dismissed as withdrawn granting such liberty. Consequently, the connected Miscellaneous Petitions are closed. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary,
The State of Tamil Nadu,
Labour and Employment Department,
Fort St.George,
Chennai - 600 009.



2. The General Manager,
Tamilnadu Sugar Corporation,
Chennai - 600 035.

3. The Commissioner of Sugar,
No. 600, Anna Salai,
Nandanam, Chennai - 600 035.

4. The Managing Director,
Tiruttani Co-operative Sugar Mills Ltd.,
Tiruvalangadu - 631 210.
Thiruvallur District.

+1cc Mr.Bala Ramesh, Advocate S.R.No. 38371

+1cc Mr. S.Ezhil Raj, Advocate S.R.No. 38000

+1cc Government Pleader S.R.No. 37646 (29/06/2022)

W.P. No. 23070 of 2016

EV(CO)
CT/28/06/2022