



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P. No.6068 of 2015
and MP No.1 of 2015

New Democratic Labour Front
Kamaz Vectra Motor Limited Branch
Rep by its Secretary:
Regn.No.24/KRI,
L-416, ASTC Old HUDCO,
Hosur-635 109

...Petitioner

Vs.

- 1.Government of Tamil Nadu
Rep by its Secretary,
Labour and Employment Department,
Fort St. George, Chennai-9.
- 2.The Sub Divisional Magistrate/
Revenue Divisional Officer,
Hosur 635 109.
- 3.The Labour Officer
Krishnagiri
- 4.The Inspector of Police
SIPCOT Police Station,
Hosur 635 109.
- 5.The Management
Kamaz Motors Ltd
No.7 and 8, SIPCOT,
Hosur-635 109

...Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of mandamus forbearing the 2nd respondent proceeding in Va.No.21/2015/A4 dated 21.02.2015 arising out of the proceedings initiated against the office bearers of the petitioners Union under Section 107 of the Cr.P.C and further direct the 3rd respondent to hold conciliation proceedings under Section 12(1) of the Industrial Disputes Act 1947 for the industrial dispute between the petitioner Union and 5th respondent Management based on the allegation of the 5th respondent Management against the petitioner Trade Union.

For Petitioner : Mr.S.Parthasarthi

For Respondents : Mr.C.Selvaraj (R1 to R4)
Additional Government Pleader
R5-No Appearance



ORDER

Section 107 of the Code of Criminal Procedure, 1973 (Cr.P.C) empowers the Executive Magistrate to order execution of bond for the purpose of sureties for keeping the peace for a maximum period of one year. The petitioner herein has challenged proceedings dated 21.02.2015, initiated under Section 107 of the Cr.P.C. in the present writ petition.

2. Since the proceeding was initiated way back in 2015, the proceeding itself has become infructuous in view of the maximum period of one year stipulated under Section 107 of the Cr.P.C., having lapsed. Hence, no effective order can be passed in the present writ petition. Accordingly, this writ petition stands closed. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ska

To

- 1.Government of Tamil Nadu
Rep by its Secretary,
Labour and Employment Department,
Fort St. George, Chennai-9.
- 2.The Sub Divisional Magistrate/
Revenue Divisional Officer,
Hosur 635 109.
- 3.The Labour Officer
Krishnagiri
- 4.The Inspector of Police
SIPCOT Police Station,
Hosur 635 109.

+2cc to M/s.S.Parthasarathi, Advocate, S.R.No.2352
+1cc to the Government Pleader, S.R.No.2984

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and MP Nos.1 of 2015

SMI (CO)
SB(09/02/2022)