



WEB COPY



W.P.No.17120 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.17120 of 2022
and WMP 16429 of 2022

M/s Nash Industries (I) Private Limited,
Plot No.119, 121, 1243, 125 & 127A,
SIPCOT Industrial Estate,
Thirumazhisai, Chennai 600 124.

Head Industry Address, Nash Industries (I) Private Ltd.,
No.236, 237/2, 8th Main Road, III Cross Road,
III Phase, Pheeny Industrial Area,
Bangalore 560 058.

... Petitioner

Vs.

1. N.Manokaran

2. Sri Manikandan Industries,
No.19/13, Thayumanavar Street, NH-1,
Maraimalai Nagar, Kanchipuram District 603 209. .. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Certiorari, calling for the records on the file of the II Additional Labour Court, Chennai and to quash the impugned ex-parte award dated 09.11.2021 made in I.D.No.459 of 2015.



W.P.No.17120 of 2022

For Petitioner : Mr.S.Makesh

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ORDER

This Writ Petition has been filed seeking to issue a Writ of Certiorari, quashing the ex-parte award passed by the II Additional Judge, Labour Court, Chennai in I.D.No.459 of 2015 on 09.11.2021. The petitioner has not refuted that the Labour Court cannot entertain the application, seeking to set aside the ex-parte Award passed by him. Therefore, when the petitioner is having an alternative remedy before the Labour Court, without exhausting such remedy, he cannot file the writ petition before this court.

2. Therefore, this writ petition is dismissed. No costs. Consequently, connected writ miscellaneous petition is closed. However, liberty is granted to the petitioner to approach the Labour Court to file appropriate application to set aside the exparte Award.

06.07.2022
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Index:Yes/No
Internet: yes/no
mst



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W.P.No.17120 of 2022

D. KRISHNAKUMAR, J.

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W.P.No. 17120 of 2022

06.07.2022
(2/2)