



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.05.2022

CORAM:

THE HON'BLE MR.JUSTICE S.M. SUBRAMANIAM

W.P.No.13158 of 2022

and

W.M.P. Nos. 12496 and 12497 of 2022

1. J. James Robson

2. Mylai Kumar

... Petitioners

Versus

1. South Indian Cine,
Television Artists and Dubbing Artists Union,
known as SICTADAU (Regd No. 1337/MDS),
Represented by its Secretary,
Mr. T.N.B. Kathiravan,
No. 10, 4th Street, Vijayaragavapuram,
Saligramam,
Chennai - 600 093.

2. The Additional Registrar of Trade Unions -1
cum Deputy Commissioner of Labour No -1,
DMS Complex, Teynampet,
Chennai - 600 018.

3. Mr. N. Sathishkumar

4. Hon'ble Shri V. Periyakaruppiyah, Judge,
The Election Officer,
SICTADAU Election - 2022,
No.10, 4th Street, Vijayaragavapuram,
Saligramam, Chennai - 600 093.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus to direct the second respondent to consider the representation given by the petitioners on 09.05.2022 and stop the General Meeting will be held on 21.05.2022 of the first respondent herein namely South Indian Cine, Television Artists and Dubbing Artists Union and file a final report within stipulated time.

For Petitioners : Mr. A.D. Janarthanan



O R D E R

The relief sought for in the present writ petition is to direct the second respondent to consider the representation given by the petitioners on 09.05.2022 and stop the General Body Meeting scheduled to be held on 21.05.2022.

2. The petitioner states that he is a member of the first respondent union i.e. South Indian Cine, Television Artists and Dubbing Artists Union. The first respondent union is governed by its by-laws and the petitioner states that he is regularly participating in the union meetings and other related activities.

3. The learned counsel for the petitioner made a submission that the election of the office bearers conducted by the first respondent union was challenged before the civil court and the present writ petition is filed for the purpose of directing the second respondent/Additional Registrar of Trade Unions to consider the representation.

4. The representation dated 07.05.2022 submitted by the petitioners reveal that they made a request to the second respondent/Additional Registrar of Trade Unions to stop the General Body Meeting scheduled to be held on 21.05.2022.

5. The first respondent union is not a State within the meaning of Article 12 of the Constitution of India. The second respondent/Additional Registrar of Trade Unions, no doubt, in the event of any irregularity in union affairs, is empowered to initiate action in the manner known to law, as far as the General Body Meetings are concerned, it is decided by the Union and already the petitioners have filed a civil suit in O.S.No. 2466 of 2022 on the file of the V City Civil Court, Chennai, which is pending.

6. This being the factum, the petitioners have to redress their grievances before the competent court of law and more specifically in a suit, which is already instituted and pending. However, High Court cannot entertain a writ petition of this nature, more specifically questioning the General Body of Meeting scheduled to be held on 21.05.2022. A writ petition filed even seeking a direction to dispose of the representation need not be entertained in a routine manner by merely directing the authorities. A mere direction would do no service to the cause of justice, contrarily it would result in multiplicity of proceedings. However, the petitioners are at liberty to approach



the competent civil court of law for the purpose of adjudication of issues and resolve their grievances in the manner known to law. With this liberty, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous are closed.

WEB COPY

Sd/-
Vacation Officer

//True copy//

Sub Assistant Registrar

mrn

To

1. The Additional Registrar of Trade Unions -1
cum Deputy Commissioner of Labour No -1,
DMS Complex, Teynampet,
Chennai - 600 018.

2. Hon'ble Shri V. Periyakaruppiyah, Judge,
The Election Officer,
SICTADAU Election - 2022,
No.10, 4th Street, Vijayaragavapuram,
Saligramam, Chennai - 600 093.

+1cc to Mr.C.Iyyannar, Advocate SR.No.31653

+1cc to Government Pleader SR.No.31674

W.P.No.13158 of 2022

and

W.M.P. Nos. 12496 and 12497 of 2022

SS (CO)
GMY (26/05/2022)