



WEB COPY



W.P.No.17109 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2022

CORAM

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.17109 of 2022
and
W.M.P.No.16406 of 2022

Labour Liberation Front,
Represented by its Secretary,
No.4A, First Avenue Road,
100 ft Road,
Ashok Nagar,
Chennai - 600 083.

... Petitioner

Vs.

1.The Management,
Mercury Precision Products (P) Ltd - Unit II,
No.126 / \$2, Mappedu 'B' Block,
Hussain Nagaram,
Thiruvallur - District.

2.The Secretary,
United Labour Front,
No.149, Thambu Chetty Street,
C.J.Complex, 5th Floor,
Chennai - 600 001.

... Respondents

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the order dated 02.06.2022 passed in



W.P.No.17109 of 2022

Mis.App.S.R.No.3603 of 2021 in O.P.No.69 of 2020 on the file of the III Additional Labour Court, Chennai, quash the same as illegal, arbitrary and contrary to law, consequently direct the III Additional Labour Court, Chennai to implead the petitioner Union as a party in O.P.No.69 of 2022.

For Petitioner : Mr.C.D.Sugumar

For Respondents : Mr.Sai Prasad M.
for R1

Mr.M.Karthikeyan
for R2

ORDER

Admittedly, the impleading petition filed by the petitioner (Trade Union) before the Labour Court has been dismissed without notice to the respondents by the III Additional Labour Court, Chennai in Mis.App.S.R.No.3603 of 2021 in O.P.No.69 of 2020.

2. Since no notice was issued by the Labour Court to the respondents therein before dismissing the impleading application filed by the petitioner / Trade Union, necessarily the impugned order has to be quashed and the matter has to be remanded back to the III Additional Labour Court, Chennai for fresh consideration on merits and in accordance with law, after affording



W.P.No.17109 of 2022

a fair hearing to the petitioner as well as the respondents.

WEB COPY

3. The issues that have been raised by the petitioner in this Writ Petition are left open and it is for the Labour Court to decide the same while passing final orders on the petitioner's impleading application, on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order, after affording a fair hearing to the petitioner as well as the respondents.

4. With the aforementioned directions, this Writ Petition is disposed of. No Costs. Consequently, the connected Writ Miscellaneous Petition is closed.

23.11.2022

Index : Yes/No
Speaking Order : Yes / No
ab



WEB COPY



W.P.No.17109 of 2022

ABDUL QUDDHOSE. J.,

ab

W.P.No.17109 of 2022

23.11.2022