



WEB COPY



W.P.No.24841 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2022

CORAM

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.24841 of 2022
and
W.M.P.No.23781 of 2022

The Management of -
Sakthi Auto Components Ltd.,
Represented by: The President of the Company,
Mukasi Pallagoundanpalayam,
Tiruppur District.

...Petitioner

Vs.

N.Mahalingam

...Respondent

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records of the Additional Labour Court, Coimbatore in I.A.No.5 of 2021 in I.D.No.53 of 2018, quash its order dated 20.04.2022.

For Petitioner : Mr.Anand Gopalan
for M/s.T.S.Gopalan and Co.

For Respondents : Mr.Balan Haridas



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W.P.No.24841 of 2018

ORDER

The petitioner has challenged the preliminary order passed by the Labour Court, in this Writ Petition.

2. Learned counsel for the petitioner would now submit that eventhough the preliminary order has been challenged, the petitioner will now be satisfied if the issues raised in this Writ Petition are decided in the main matter viz., I.D.No.53 of 2018. The petitioner has contended that the respondent is not a workman and therefore, will not come within the purview of the I.D. Act. Learned counsel for the petitioner submits that the said issue will have to be considered by the Labour Court along with other issues.

3. No prejudice would be caused to any of the parties, if such a direction is issued by this Court. Both the learned counsels request for a direction to the Labour Court to dispose of I.D.No.53 of 2018 within a time frame to be fixed by this Court. No prejudice would be caused to any of the parties, if such a direction is also given by this Court.



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4. For the foregoing reasons, this Writ Petition is disposed of by directing the Additional Labour Court, Coimbatore in I.D.No.53 of 2018 to consider the issue, that the respondent is not a workman coming within the purview of the I.D. Act, as one of the dispute, along with other issues while passing the final award. The Additional Labour Court, Coimbatore is directed to pass final orders within a period of six months from the date of receipt of a copy of this order.

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

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Index : Yes/No
Speaking Order : Yes / No
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ABDUL QUDDHOSE. J.,

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