



W.P.No.26363 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.10.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.26363 of 2022 and WMP.Nos.25436, 25437 and 25438/2022

Tamil Nadu State Apex Co. Op. Bank
Employees' Union (Regn. No.2484)
rep. by its General Secretary,
Having Office at No.4, Old No.233,
N.S.C. Bose Road, Chennai-600 001.

... Petitioner

Versus

1. The Additional Registrar of Trade Union/
Joint Commissioner of Labour-1,
DMS Complex, Teynampet,
Chennai-600 018.
2. The Management of Tamil Nadu State
Apex Co. Op. Bank represented by its
Managing Director, No.4 N.S.C. Bose Road,
Chennai-600 001.
3. Tamil Nadu State Apex Co. Op. Bank Employees'
Progressive Federation rep. by its General Secretary,
N.S.C. Bose Road, Chennai-600 001.

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue



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a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent in granting registration of 3rd respondent in its Proceedings bearing Ni.Mu.No.A3/609/2022 dated 20.04.2022, quash the same as it violates the provisions of Trade Unions Act, 1926 and consequently, direct the 1st respondent to cancel the registration of the 3rd respondent after following the procedure laid down in Section 10 of the Trade Unions Act, 1926 based on the petitioners representations dated 05.07.2022 and 25.07.2022.

For Petitioner : Mr.V.Prakash,
Senior Counsel for Mr.C.Seethapathy

For R1 : Mr.L.S.M.Hasan Fizal, AGP

For R3 : Mr.V.Govardhan
for M/s.Row & Reddy

ORDER

Challenging the registration granted to the 3rd respondent on the proceedings of the 1st respondent in Ni.Mu.No.A3/609/2022 dated 20.04.2022 under the Trade Unions Act, 1926, this Writ Petition has been filed.

2. The learned Senior Counsel for the petitioner contended that the 3rd respondent has been registered under the Trade Unions Act, 1926 and that the said



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registration has been done in favour of the 3rd respondent based on bogus membership. However, the contention of the learned Senior Counsel for the petitioner is disputed by the learned Counsel for the 3rd respondent in this Writ Petition.

3. The learned Senior Counsel for the petitioner would now submit that even though the registration of the 3rd respondent under the Trade Unions Act has been challenged in this Writ Petition, the petitioner for the present would be satisfied, if their complaint dated 05.07.2022 followed by another representation dated 25.07.2022 seeking for cancellation of the 3rd respondent's registration are considered on merits and in accordance with law, after affording a fair hearing to the petitioner as well as the 3rd respondent. No prejudice would be caused to anyone, if such a direction is issued by this Court.

4. For the foregoing reasons, this Court directs the first respondent to pass final orders on the petitioner's complaint dated 05.07.2022 followed by another



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representation dated 25.07.2022 seeking for cancellation of the 3rd respondent's registration under the Trade Unions Act, 1926, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, after affording a fair hearing to the petitioner as well as the 3rd respondent. The respective parties are permitted to produce all the documents before the 1st respondent in support of their respective contentions and they shall also co-operate with the 1st respondent for passing final orders.

With the aforesaid direction, this writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

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Index: Yes/No

Speaking Order/Non-Speaking Order

To

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1. The Additional Registrar of Trade Union/
Joint Commissioner of Labour-1,
DMS Complex, Teynampet,
Chennai-600 018.
2. The Managing Director,
Management of Tamil Nadu State
Apex Co. Op. Bank, No.4 N.S.C. Bose Road,
Chennai-600 001.
3. The General Secretary,
Tamil Nadu State Apex Co. Op. Bank Employees'
Progressive Federation,
N.S.C. Bose Road, Chennai-600 001.



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ABDUL QUDDHOSE, J

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