



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 17875 of 2017

Dr. Sherlin K.Raj

...Petitioner

-vs-

1.TAQA Neyveli Power Company P Ltd.  
No.79, Kasturi Avenue  
M.R.C. Nagar, R.A. Puram  
Chennai - 600 028.

2.TAQA Neyveli Power Company P Ltd.  
Rep by its Authorised Signatory  
TAQA Neyveli Power Company  
Oomangalam, Vridachalam.

3.The Presiding Officer  
Labour Court, Cuddalore.

...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, to call for the records of the Third Respondent in the unnumbered Industrial Dispute filed by the Petitioner and to quash the return endorsement dated 06.06.2017 and consequently, direct the Third Respondent to accept the returned the papers and to proceed with the Industrial Dispute and to hear the dispute.

For Petitioner : Mr. P.Paramasiva Doss  
For Mr. G.Sankaran

For R1 and R2 : Mr. Anand Gopalan  
For M/s. T.S.Gopalan & Co.

O R D E R

When it was pointed out that a medical practitioner, like the Petitioner in this case, is not a 'workman' under the Industrial Disputes Act, 1947, in view of the dictum laid down by the Hon'ble Supreme Court of India in Muir Mills Unit of NTC (U.P.) Ltd -vs- Swayam Prakash Srivastava [(2007) 1 SCC 491], Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to work



out his remedies before the appropriate forum in accordance with law. He has also filed a memo dated 14.02.2022 to that effect, which is placed on record.

In the result, the Writ Petition is dismissed as withdrawn granting such liberty. No costs.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

Maya

To

The Presiding Officer  
Labour Court, Cuddalore.

+1cc to M/s.T.S.Gopalan & Co, SR. No.9166

W.P. No. 17875 of 2017

JPL (CO)  
PR (11/03/2022)