



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2022

CORAM

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

W.P. No. 28060 of 2018

Asian Bearings Limited,
Perigagi Road, Belathur, Hosur Taluk,
Krishnagiri District-635 124.

...Petitioner

-vs-

Asian Bearings Workers Union,
No.3/124-3, S.R. Building,
Teachers Colony, Soodapuram,
Belathur Post, Hosur Taluk,
Krishnagiri District-635 124.

...Respondent

Prayer:- Writ Petitions filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorari to call for records in C.P. No. 63 of 2010 on the file of Labour Court, Salem, quash the order dated 20.09.2018 by which the Labour Court has directed payment of cost of Rs.3000/- each to all the workman present on 20.09.2018.

For Petitioner : Mr. M.R.Raghavan

For Respondent : Mr. P.Chandrasekar

O R D E R

Heard Mr. M.R.Raghavan, Learned Counsel for the Petitioner and Mr. P.Chandrasekar, Learned Counsel for the Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2.The Respondent had filed the Claim Petition in C.P. No. 63 of 2010 before the Labour Court, Salem (hereinafter referred to as 'the Labour Court' for short) for computing certain monetary benefits payable to its members who are employed in the establishment of the Petitioner. It is borne out from the materials placed on record that during the hearing on 20.09.2018 before the Labour Court, about 200 workers had appeared and it was directed that each of them would have to pay costs of Rs. 3,000 aggregating to Rs. 6,00,000/- by the Petitioner for their attendance, which is assailed in this Writ Petition.



3. When the matter is taken up for hearing today, Learned Counsel for the Respondent states that in order to expedite the proceedings before the Labour Court and avert the unnecessary prolonging of the litigation, he does not have any objection for setting aside the said onerous condition imposed by the Labour Court and he has made an endorsement to that effect in the court record.

4. In such circumstances, the impugned order dated 20.09.2018 in C.P.No. 63 of 2010 passed by the Labour Court insofar as it requires the Petitioner to pay the sum of Rs. 3,000/- as costs towards each of the 200 workers is set aside and C.P. No. 63 of 2010 shall be listed for next hearing on 25.04.2022 before the Labour Court. The parties or their respective Counsel shall attend the hearing on the said date as well as on the subsequent dates to which it is adjourned and extend their co-operation for the early disposal of the matter. After affording full opportunity of hearing to all parties concerned following the prescribed procedure in consonance with the principles of natural justice, the Labour Court shall deal with each of the contentions raised and pass reasoned orders on merits and in accordance with law and communicate the decision taken to the concerned parties under written acknowledgment. It shall be ensured that there is at least one effective hearing every week showing progress of the case and monthly reports in that regard shall be sent to the Registrar (Judicial) of this Court till the matter is finally disposed.

In the result, the Writ Petition is disposed on the aforesaid terms. No costs.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

gd
To
The Presiding Officer,
Labour Court, Salem.
Copy to
The Registrar (Judicial),
Madras High Court, Chennai - 600 104.

+1cc to Mr.M.R.Raghavan, Advocate, S.R.No.21306

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PL(CO)
RGA(13/04/2022)