



W.P.(MD).No.14715 of 2013

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.10.2022  
CORAM

**THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.P.(MD).No.14715 of 2013**

**and**

**M.P.(MD).No.1 of 2013**

Tamil Nadu Rural Labourers Movement's  
Central General Trade Union,  
Reg.No.331/ERD  
Represented by it's Madurai District Secretary,  
Madurai District Office,  
74, Roja Thottam,  
Thirumangalam,  
Madurai – 625 706

... Petitioner

Vs.

1.The Secretary,  
Welfare Board of Manual Workers,  
Chennai – 600 006.

2.The Labour Officer,  
Social Security Scheme,  
Tamil Nadu Housing Board,  
1<sup>st</sup> Floor, Ellis Nagar,  
Madurai – 14.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records from the second respondent relating to the impugned order in Na.Ka.No.126/2013 dated 18.04.2013, quash the same and consequently to direct the respondents to allow



W.P.(MD).No.14715 of 2013

the petitioner's union to carry out all the functions relating to the Welfare Board for the workers and the Social Security Scheme operated by the Board without any discrimination and hindrance.

For Petitioner : Mr.B.Karunanidhi

For Respondents : Mr.P.Thambidurai,  
Government Advocate,  
(Civil Side).

### **ORDER**

This Writ Petition has been filed to quash the impugned order dated 18.04.2013 and consequently direct the respondents to allow the petitioner's union to carry out all the functions relating to the Welfare Board for the workers and the Social Security Scheme operated by the Board without any discrimination and hindrance.

2. When the Writ Petition was taken up for admission, this Hon'ble Court has granted an interim stay of the impugned order. Based on the interim stay, the petitioner's Union is still functioning.



W.P.(MD).No.14715 of 2013

WEB COPY

3. The brief facts as stated in the affidavit are that the impugned order was passed because the respondents alleges through a notice dated 28.03.2013 that 20 applications carrying forged signature of the Village Administrative Officer which were submitted by the petitioner's Union. The petitioner's Union has submitted explanation on 04.04.2013. The contention of the petitioner is that the second respondent without affording any opportunity suspended the function of the Union. The further contention of the petitioner is that the petitioner's Union is not responsible for the forged signature of 20 applications. Hence, the present Writ Petition is filed.

4. The respondents have filed counter affidavit reiterating the same allegations that forged signatures were obtained from the Village Administrative Officer. Hence, the petitioner's Union activities with regard to registration, renewal and submitting claim application under the scheme was temporarily suspended.



W.P.(MD).No.14715 of 2013

WEB COPY

5. Heard Mr.B.Karunanidhi, learned counsel for the petitioner and Mr.P.Thambidurai, learned Government Advocate, (Civil Side) appearing for the respondents and perused the records.

6. On perusal of the impugned order, this Court is of the considered opinion that the impugned order indicates that the petitioner's Union activities were suspended temporarily. This was confirmed by the counter affidavit filed by the respondents. Therefore, the case is remitted back to the second respondent. The petitioner shall submit additional explanation. Since the impugned order is passed in the year 2013, due to reflex of time, the petitioner's Union might have rectified the defects pointed out by the respondents. Therefore, the petitioner is directed to submit additional explanation and thereafter, the second respondent shall consider and pass orders within a period of eight (8) weeks therefrom. Since this Court has already granted interim order, until the consideration is completed and the respondents have passed final order, the activities of the petitioner's Union shall not be restrained.



W.P.(MD).No.14715 of 2013

WEB COPY

7. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

**13.10.2022**

Index : Yes / No  
Internet : Yes

Nsr

To

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W.P.(MD).No.14715 of 2013

**S.SRIMATHY, J**

Nsr

Order made in  
W.P.(MD).No.14715 of 2013

13.10.2022