



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.22449 of 2021

and

W.M.P. (MD) Nos.18978 & 18980 of 2021

WEB COPY

1.Tamil Nadu Textile and
Common Labour Union
rep.by its General Secretary
374/2013 Dindugal
Serene Nagar, Vazhakapatti Pirivu
Nagal Nagar Post
Reddiyapatti B.O.
Natham Road, Dindugal-624 003

2.Jeeva
General Secretary of the Union ... Petitioners

vs.

The Additional Registrar of Trade Unions
(Joint Commissioner of Labour and Employment)
Dindugal, District Collectorate Campus
Dindigul-624 004 ... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorari calling for records of the respondent in connection with the impugned order bearing reference number 5/801/2021 dated 08.11.2021 and quash the same.

For Petitioners : Ms.Lakshmi Gopinathan
for M/s.Polax Legal Solutions
For Respondent : Mr.A.K.Manikkam
Special Government Pleader

O R D E R

The order dated 08.11.2021, passed by the respondent, cancelling the registration of the petitioner - Trade Union is under challenge in this writ petition.

2. The learned counsel for the petitioner made a submission that no doubt, the petitioner was unable to furnish a copy of the list of members during the relevant point of time on account of Covid-19 pandemic and in view of the other difficulties faced by the women members. Further, it is contended that the petitioner - Trade Union consists of women labourers and therefore, they could not



submit all those records immediately. However, after filing of this writ petition, they have submitted all the relevant documents, including the list of members and other details cited as defects in the impugned order.

3. In view of the fact that the petitioner has submitted all the required documents, the impugned order is to be reconsidered with reference to the documents filed by the petitioner. Thus, this Court is inclined to remand the matter back to the Authority concerned for fresh consideration.

4. Accordingly, the writ petition is allowed and the impugned order dated 08.11.2021, passed by the respondent, is quashed. The matter is remanded back to the respondent for fresh consideration. The petitioner is permitted to submit all the documents, if any to be submitted, within a period of two weeks from the date of receipt of a copy of this order. Thereafter, the respondent shall conduct an enquiry by affording due opportunity to the petitioner and take a decision on merits and in accordance with law, as expeditiously as possible. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

krk

To:

The Additional Registrar of Trade Unions,
(Joint Commissioner of Labour and Employment)
Dindugal,
District Collectorate Campus,
Dindigul-624 004.

+1 CC to M/s.LAKSHMI GOPINATHAN (POLAX LEGAL SOLUTIONS), Advocate
(SR-8482[F] dated 24/02/2022)

+1 CC to M/s.SPL GP (SR-8962[F] dated 28/02/2022)

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RJ (CO)

GC (04.03.2022) 2P 4C

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