



W.P.(MD)No.6109 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.11.2022**

CORAM

THE HON'BLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.6109 of 2016

K.Moorthi

... Petitioner

Vs.

1. The Joint Commissioner of Labour,
Dindigul Regional Office,
No.84, Nehruji Nagar,
Dindigul – 624 001.
2. The Assistant Commissioner of Labour,
O/o. The Joint Commissioner of Labour Office,
No.84, Nehruji Nagar,
Dindigul – 624 001.
3. The Founder Chairman,
Shriram Group Companies,
12/06, Poes Road, Thenampet,
Chennai – 600 018.
4. The Chairman,
Shriram City Union Finance Ltd.,,
Regd Office, No.123, Angappanaicken Street,
Chennai – 600 001.



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5. The Managing Director,
Shriram Chits Tamil Nadu Pvt Ltd.,
Regd Office, No.123, Angappanaicken Street,
Chennai – 600 001.
 6. The Managing Director,
Shriram City Union Finance Ltd.,
3-6-478, 3rd Floor, Anand Estate,
Liberty Road, 6th Street, Himayath Nagar,
Hyderabad – 500 029.
 7. The Executive Director (Finance & Accounts)
Shriram City Union Finance Ltd.,
No.48/144, Santhome High Road,
Mylapore, Chennai – 600 004.
 8. The Chief Finance Officer,
Shriram City Union Finance Ltd.,
No.48/144, Santhome High Road,
Mylapore, Chennai – 600 004.
 9. The Executive Director,
Shriram Chits Tamil Nadu Pvt Ltd.,
First and Second Floor,
No.145, Santhome High Road,
Mylapore, Chennai – 600 004.
 10. The General Manager,
(Administration and Human Resources)
Shriram Chits Tamil Nadu Pvt Ltd.,
No.145, Santhome High Road,
Mylapore, Chennai – 600 004.
- ... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the Order passed by the second respondent dated 08.01.2016 in his Na.Ka.No.Aa1/2140/2015 and quash the same and to direct the first respondent to pass orders on merits of six prayers submitted by the petitioner dated 31.03.2015..

For Petitioner : Mr.K.Vadivelu

For R1 & R2 : Mr.P.Thambidurai
Government Advocate

For R3 to R10 : No appearance

ORDER

This Writ Petition is filed challenging the impugned order, dated 08.01.2016 passed by the first respondent.

2. The Joint Commissioner of Labour has exercised his power as a conciliation officer and has directed the petitioner to approach the Labour Court and raise Industrial Dispute, since the petitioner is having alternative remedy under Section 2A. The claim of the petitioner is that



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he was working in the company run by respondents No.3 to 10.

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3. Since evidence ought to be scrutinized, this petition cannot be entertained under Article 226 and the petitioner is having alternative remedy under Section 2A. Therefore, the petitioner is granted liberty to raise Industrial Dispute under 2A before the Labour Court.

4. This petition is pending from 2016 onwards, hence the period from the date of filing of this writ petition till the date of this order is condoned.

5. With the above said direction, this Writ Petition is disposed of. No costs.

04.11.2022

Index : Yes / No
Internet : Yes / No
jbr



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To

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No.84, Nehruji Nagar,
Dindigul – 624 001.
2. The Assistant Commissioner of Labour,
O/o. The Joint Commissioner of Labour Office,
No.84, Nehruji Nagar,
Dindigul – 624 001.



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S.SRIMATHY, J

jbr

Order made in
W.P.(MD)No.6109 of 2016

04.11.2022