



W.P.No.10969 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.10969 of 2016
and
W.M.P.Nos.9561 and 9562 of 2016

The Management,
The Salem District Central
Co-operative Bank Ltd.,
Cherry Road, Salem 636 001.

... Petitioner

Vs.

1. The Presiding Officer,
Labour court, Salem.

2. M.Poomalai

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari to call for the records in ID No.17 of 2005 on the file of the Labour Court, Salem the first respondent herein, quash the award dated 15.10.2008 passed herein.

For Petitioner : Mr.M.R.Raghavan

For Respondents : Mr.K.V.Shanmuganathan R2



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ORDER

The petition has been filed seeking to quash the order in ID No.17 of 2005 on the file of the Labour Court, Salem the first respondent herein, dated 15.10.2008 passed herein.

2. When the matter is taken up for hearing, the learned counsel for the petitioner as well as the second respondent fairly submitted that the award passed by the first respondent is non-speaking order, which has to be necessarily interfered with. Hence, this Court may set aside the impugned order and remand the matter back to the first respondent for fresh consideration.

3. In view of the fair submission made by the learned counsel on either side, this Court is inclined to set aside the imugned order. Accordingly, the same is set-aside and remands the matter back to the first respondent for fresh consideration. The first respondent is directed to consider the same and pass appropriate orders after providing opportunity to the petitioner Company as well as the second respondent on merits as expeditiously as possible.



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4. With the above observation and direction, the writ petition is allowed. No costs. Consequently, connected miscellaneous petitions are also closed.

05.07.2023

Index : Yes / No
Speaking order / Non speaking order
Netrual Citation Case : Yes / No

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To

The Presiding Officer,
Labour court, Salem.



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M.DHANDAPANI, J.

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