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W.A.No.497/2013 & Batch



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 07-02-2023

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

AND

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.A.Nos.497,498,499 of 2013 & 2169 of 2012

W.A.No.497/2013 :

The Management of Universal Radiators Limited
rep.by its Managing Director
A.C.Mahesh

...

Appellant

-VS-

1.Bharthiya Kovai Mavatta Podhu Thozhilalar Sangham

2.The Presiding Officer,
Industrial Tribunal,
Chennai – 600 104.

3.The Joint Commissioner of Labour,
Coimbatore.

...

Respondents

W.A.No.498/2013 :

The Management of Universal Radiators Limited
rep.by its Managing Director
A.C.Mahesh

...

Appellant

-VS-



1.The Presiding Officer,
Industrial Tribunal,
Chennai – 600 104.

2.The Joint Commissioner of Labour,
Coimbatore.

3.Bharthiya Kovai Mavatta Podhu Thozhilalar Sangam

4.Kovai Mavatta Poriyiyal Podhu Thozhilalar Sangam... Respondents

W.A.No.499/2013 :

The Management of Universal Radiators Limited
rep.by its Managing Director
A.C.Mahesh

...

Appellant

-VS-

1.The State of Tamil Nadu,
rep.by its Secretary to Government,
Labour and Employment Department,
Chennai-600 009.

2.Bharthiya Kovai Mavatta Podhu Thozhilalar Sangam (BMS)

3.Coimbatore District General Engineering
Mechanical Workers Union (CITU)

4.Kovai Mavatta Podhu Thozhilalar
Munnetra Sangam (LPF)

5.Kovai Mavatta Poriyiyal Podhu
Thozhilalar Sangam (AITUC) ...

Respondents



W.A.No.2169/2012 :

Bharthiya Kovai Mavatta Podhu
Thozhilalar Sangam (BMS)

...

Appellant

-VS-

1.The Presiding Officer,
Industrial Tribunal,
Chennai – 600 104.

2.The Management of Universal Radiators Limited

3.The Secretary,
Coimbatore District General Engineering &
Mechanical Workers Union (CITU)

4.Kovai Mavatta Podhu Thozhilalar
Munnetra Sangam (LPF)

5.Kovai Mavatta Poriyiyal Podhu
Thozhilalar Sangam (AITUC)

...

Respondents

W.A.No.497 of 2013 is filed under Clause 15 of the Letters Patent against the order, dated 05.10.2012, passed in W.P.No.17458 of 2003, on the file of this Court.

W.A.No.498 of 2013 is filed under Clause 15 of the Letters Patent against the order, dated 05.10.2012, passed in W.P.No.21236 of 2001, on the file of this Court.

W.A.No.499 of 2013 is filed under Clause 15 of the Letters Patent against the order, dated 05.10.2012, passed in W.P.No.23830 of 2003, on the file of this Court.



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W.A.No.2169 of 2012 is filed under Clause 15 of the Letters Patent against the order, dated 03.08.2012, passed in W.P.No.21230 of 2012, on the file of this Court.

For Appellant in W.A.Nos.497-499/2013 : Mr.R.Asokan

For Appellant in W.A.No.2169/2012 : No appearance

For Respondent 1 in W.A.No.497/2013 : No appearance

For Respondent 3 in W.A.No.497/2013 : Mrs.E.Ranganayaki,
Addl.Govt.Pleader.

For Respondent 2 in W.A.No.498/2013 : Mrs.E.Ranganayaki,
Addl.Govt.Pleader.

For Respondents 3 & 4 in W.A.No.498/2013 : No appearance

For Respondent 1 in W.A.No.499/2013 : Mrs.E.Ranganayaki,
Addl.Govt.Pleader.

For Respondents 2-5 in W.A.No.499/2013 : No appearance

For Respondent 2 in W.A.No.2169/2012 : Mr.R.Asokan

For Respondents 3-5 in W.A.No.2169/2012 : No appearance

JUDGMENT

Learned counsel for the appellants has submitted that the employees concerned have already received the compensation along with gratuity and no amount is due to them.



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2. During the last occasion, Mrs.P.Bhava Dharani, learned counsel, undertook to file vakalat for some of the respondents.

3. Today, when the matter is taken up for hearing, none appeared for the respondents.

4. Since the matter is of the year 2001 and almost 22 years have gone by now, so also a decade from the date of disposal of the Writ Petitions, taking note of the submissions of the learned counsel for the appellant, we allow the appeals, namely, W.A.Nos.497-499 of 2013 filed by the Management and dismiss the appeal i.e., W.A.No.2169 of 2012, filed by the Sangam, holding that closure of the appellant company was in order. If any of the workmen is aggrieved over this order, it is open for him/her to file a petition to reopen the case and argue the matter on merits. No costs. Consequently, the connected M.P.Nos.1 of 2013 are closed.

Index : Yes/No
Internet : Yes/No
Speaking / Non-speaking Order
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(S.V.N.,J.) (L.V.G.,J.)
07-02-2023



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W.A.No.497/2015 & Datch

- To
- 1.The Presiding Officer,
Industrial Tribunal,
Chennai – 600 104.
 - 2.The Joint Commissioner of Labour,
Coimbatore.
 - 3.State of Tamil Nadu,
rep.by its Secretary to Government,
Labour and Employment Department,
Chennai-600 009.



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W.A.No.497/2013 & Batch

S.VAIDYANATHAN,J.
AND
L.VICTORIA GOWRI,J.

dixit

W.A.Nos.497-499/2013 & 2169/2012

07-02-2023