



WP.No.24351 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

W.P. No.24351 of 2013

Dakshin Railway Employees' Union,
Affiliated with – CITU Regd No.3068,
Rep.by its General Secretary,
No.27, Mosque Street,
Chepauk, Chennai-110 001.

... Petitioner

Vs

1.Union of India,
Rep.by the Secretary to Government,
Ministry of Railways, Rail Bhavan,
New Delhi-110 001

2.The General Manager,
Southern Railway,
Head Quarters Office,
Park Town P.O.,
Chennai-600 003.

3.The Chief Personnel Officer,
Southern Railway,
Head Quarters Office,
Park Town P.O.,
Chennai-600 003.

4.Secret Ballot Election Committee,
Rep.by its Executive Director,
Rail Bhavan, New Delhi-110 001.



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5.Southern Railway Mazdoor Union,
Rep.by its General Secretary,
Nakkeerar Arangam,
Chennai Egmore, Chennai-600 008.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 4 to declare the clause 4(ii) of the Final Modalities for granting recognition to a union which gets 35% of the valid votes polled as void and consider and fix 20% of the total votes polled as criteria for granting recognition and consequently grant recognition to the petitioner union.

For Petitioner	:	Mr.N.G.R.Prasad
For R1 to R3	:	Mr.P.T.Ramkumar
For R4	:	No appearance
For R5	:	Mr.A.Jenasenan

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus directing the respondents 1 to 4 to declare the clause 4(ii) of the Final Modalities for granting recognition to a union which gets 35% of the valid votes polled as void and consider and fix 20% of the total votes polled as criteria for granting recognition and consequently grant recognition to the petitioner union.



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2. Heard the learned counsel appearing on either side and

perused the materials available on record.

3. It is seen that in the year 2019, the final modalities for holding the secret ballot election came into force and as such, the prayer sought for in this Writ Petition become infructuous. Accordingly, this Writ Petition is dismissed as infructuous. There shall be no order as to costs.

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Index: Yes/No

Internet: Yes/No

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To

1.The Secretary to Government,
Union of India,
Ministry of Railways, Rail Bhavan,
New Delhi-110 001

2.The General Manager,
Southern Railway,
Head Quarters Office,
Park Town P.O.,
Chennai-600 003.



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3.The Chief Personnel Officer,
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Chennai-600 003.

4.The Executive Director,
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Rail Bhavan, New Delhi-110 001.

5.The General Secretary,
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