



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED 06.06.2023

CORAM

**THE HONOURABLE MR. JUSTICE V. LAKSHMINARAYANAN**

**W.P.No. 6574 of 2013**

**And**

**M.P.No. 1 of 2013**

Ms. ICICI Bank

Vaemandampalayam

Rep. by its Branch Manager

... Petitioner

**..Vs..**

1. The Presiding Officer  
The Labour Court,  
Coimbatore.

2. Ms. A.Geetha

... Respondents

**PRAYER:** Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Prohibition forbearing the first respondent herein from proceeding with the C.P.No. 50 of 2010 on the file of the first respondent/Labour Court, Coimbatore.

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For Petitioner

:: Mr. Sanjay Mohan



for M/s. S.Ramasubramaniam

For 2<sup>nd</sup> Respondent

:: Mr.G.B.Saravanabhavan

### **ORDER**

The writ petitioner seeks for a writ of prohibition restraining the Labour Court at Coimbatore from proceeding further with C.P.No. 50 of 2010 pending on its file.

2. The petitioner is a banking company within the meaning of Section 2 ((bb) of the Industrial Disputes Act, 1947.

3. The respondent / workmen filed a Petition before the Labour Court and that has been constituted by the Government of Tamil Nadu Industrial Disputes Act. The appropriate Government under Section 2(a) of the Industrial Disputes Act with respect to banking companies is only the Central Government and not the State Government. Therefore, the very forum, that is the first respondent has no jurisdiction to deal with the matter. It is only the Central Government Industrial Tribunal and that has the jurisdiction to deal with the matters covered under Section 2(a)(1). It is only



any other Industrial Dispute which is not covered under Section 2(a)(1) will be covered under Section 2(a)(ii) and therefore, the Writ Petition has to succeed.

4. The writ of prohibition shall issue and the first respondent has no jurisdiction to deal with the matter. It is only the CGIT, Sashtri Bhavan, Madras, which has the jurisdiction to deal with Section 2(a)(i). Therefore, the Labour Court, Coimbatore, shall transfer the papers presented before it in C.P.No. 50 of 2010 filed to CGIT, Chennai, forthwith. To exercise shall be complete within a period of four weeks and a report has to be submitted to this Court on the petition and records of C.P.No. 50 of 2010 now pending before the Labour Court at Coimbatore. The CGIT shall process and number the same at the earliest and endeavour to dispose of the same within a period of 9 months from the date of receipt of the records.

**V. LAKSHMINARAYANAN, J.,**



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5. With the above direction, this Writ Petition stands allowed.

Consequently, connected Miscellaneous Petition is closed.

08.06.2023

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Index: Yes/No

Internet: Yes/No

Speaking / Non Speaking Order

To

The Presiding Officer  
The Labour Court,  
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