



W.P.No.9470 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.9470 of 2023

Tamil Nadu Min Ozhiyar Maththiya Amaippu,
Rep. by its Secretary S. Kannan,
No.177, Singanna Street,
Chintadripet,
Chennai – 600 002.

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Secretary,
Labour and Employment Department,
Fort St. George,
Chennai – 600 003.

2.The Superintending Engineer,
Maththiya Chennai Min Vazhangu
Vattam Chennai E.D.C. (Central),
TANGEDCO,
110/33 KV Sub Station Campus,
Valluvar Kottam, Nungambakkam,
Chennai – 600 034.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent to consider the representation dated 19.12.2022 to amend the reference



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made in G.O.No.131 Labour and Employment Department dated 20.02.2020.

For Petitioner : Mr.J. Saravana Vel
For R1 : Mr.P. Sathish,
Additional Government Pleader
For R2 : Mr.P. Subramanian,
Standing Counsel [TNEB]

ORDER

With the consent of both parties, the Writ Petition is taken up for final disposal.

2. The petitioner herein has given a representation to the first respondent on 19.12.2022, requesting to issue an amendment to the G.O.No.131, Labour and Employment Department dated 20.02.2020. Since the said representation was not considered, the present Writ Petition has been filed.

3. It is now brought to the notice of this Court that the trial has been commenced in O.P.No.12 of 2020 before the Industrial Dispute



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Tribunal, Chennai and it is in the stage of cross-examination of M.W.1.

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4. The learned counsel for the petitioner submitted that in case the Government considers for amending the reference, the petitioner would not re-open the evidence and would continue from the stage in which the original O.P. is pending.

5. In view of such a submission made by the learned counsel for the petitioner, there shall be an order of interim stay of the proceedings in O.P.No.12 of 2020, for a period of eight (8) weeks from the date of receipt of a copy of this order. Furthermore, there shall be a direction to the first respondent, to consider the petitioner's representation dated 19.12.2022, on its own merits and pass appropriate orders in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.



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M.S.RAMESH,J.

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6. With the above direction, the Writ Petition stands disposed of.

No costs.

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Speaking order/Non-speaking order

Index:Yes/No

Neutral Citation: Yes/No

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To

1.The Secretary to State of Tamil Nadu,
Labour and Employment Department,
Fort St. George,
Chennai – 600 003.

2.The Superintending Engineer,
Maththiya Chennai Min Vazhangu
Vattam Chennai E.D.C. (Central),
TANGEDCO,
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