



WEB COPY



W.P.No.11875 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.4.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.11875 of 2023

Appollo Tubes Employees Union,
Rep. by its General Secretary, Mr.A.Philip,
Plot No.47, 48, Ramanujar Street,
Rabi Nagar, Walaja, Vellore 632 513.

...Petitioner

Vs

1. The Commissioner of Labour,
Commissionerate of Labour,
DMS Campus, Theynampet,
Chennai 600 006.
2. The Joint Commissioner of Labour,
Labour Welfare Department,
Integrated Labour Department Officers
Building, Bangalore Road, IIT Campus,
NH 46, Amman Nagar, Abdullah Puram,
Melmonavoor, Vellore 632 010.
3. The Deputy Commissioner of Labour,
Labour Welfare Department,
Integrated Labour Department Officers
Building, Bangalore Road, IIT Campus,
NH 46, Amman Nagar, Abdullah Puram,
Melmonavoor, Vellore 632 010.
4. The Assistant Commissioner of Labour-1,
Labour Welfare Department,
Integrated Labour Department Officers
Building, Bangalore Road, IIT Campus,
NH 46, Amman Nagar, Abdullah Puram,
Melmonavoor, Vellore 632 010.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 to issue the certified copy of the certificate of registration of Appollo Tubes Employees Union vide registration number 789/NAT to the petitioner.

For Petitioner : Mr.G.Pugazhenth

For Respondents : Mr.P.Sathish
AGP

ORDER

By consent of both sides, the main writ petition has been taken up for final hearing.

2. The petitioner herein has given representations to the second respondent on 30.07.2021 and 23.02.2022, seeking to issue the certified copy of the certificate of registration of Appollo Tubes Employees Union. Since the said representations were not considered, the present writ petition has been filed.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-



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consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

4. In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representations dated 30.07.2021 and 23.02.2022 on its own merits and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order, after giving opportunity to all the concerned parties. 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 second respondent to consider the same on its own merits.

5. With the above direction, the Writ Petition stands disposed of. No costs.

19.04.2023

Index:Yes/No
Speaking order/Non-speaking order
sr



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M.S.RAMESH,J.

SR

To

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