



W.P.No.26282 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.26282 of 2023

The Puducherry Power Corporation Employee's
Social Welfare Union
Rep. by its Secretary
Thiru.K.Lakshminarayanan

... Petitioner

Vs.

1.The Under Secretary to Government (Labour)
Labour Department
Vazhudavoor Road, Subbiah Nagar
Gandhi Nagar
Puducherry – 605 009.

2.The Management
Puducherry Power Corporation Limited
T.R.Pattinam,
Nagore Main Road,
Karaikal – 609 606.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for records in relation to order dated 30.01.2023, passed by the first respondent Labour Department and declaring the same as illegal and ultra vires and to quash the same and consequently pass necessary orders directing



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the
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first respondent Labour Department to confer the list of Office Bearers submitted by the petitioner Union as Protected Workman for the year, 2022 – 23.

For Petitioner : Mr.R.Venkatesulu
For Respondents : Mr.Ramaswamy Mayyappan
Government Advocate (P)

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for records in relation to order dated 30.01.2023, passed by the first respondent Labour Department and declaring the same as illegal and ultra vires and to quash the same and consequently pass necessary orders directing the first respondent Labour Department to confer the list of Office Bearers submitted by the petitioner Union as Protected Workman for the year, 2022 – 23.

2.The learned counsel appearing for the petitioner submitted that the petitioner Union made representation dated 25.04.2022 seeking to recognize the list of Office Bearers (5 nos.) submitted by



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the petitioner Union as Protected Workman for the year, 2022 – 23 to the respondents and the first respondent passed the impugned order dated 30.01.2023 stating that since the Union failed to furnish the relevant documents required for taking decision in the matter, the request of the petitioner Union for recognition of "Protected Workmen" for the year 2022 – 2023 cannot be considered.

3.The learned counsel appearing for the petitioner further submitted that it would suffice, if this Court grants liberty to the petitioner Union to make representation to the respondents again by annexing the relevant documents required by them and may issue direction to the respondents to consider the same and to pass appropriate orders.

4.Considering the limited request made by the learned counsel appearing for the petitioner, this Court, without expressing any opinion on the merits of the case, grants liberty to the petitioner Union to make representation to the respondents once again by annexing the relevant documents required by them. If any such representation is made by the petitioner Union, the respondents shall consider the same, on merits and in accordance with law and pass



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appropriate orders, as expeditiously as possible.

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M.DHANDAPANI,J.
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5.The writ petition is accordingly disposed of. No costs.

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Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

To

- 1.The Under Secretary to Government (Labour)
Labour Department
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