



W.P.(MD).No.6471 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.01.2023

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.6471 of 2016

and

W.M.P.(MD).No.5645 of 2016

The President,
M.S.592, Amarapoondi Milk Producers
Co-operative Society,
Amarapoondi Post, Palani Taluk,
Dindigul District.

... Petitioner

Vs.

1.The Appellate Authority
Under Shops and Establishments Act, 1947/
The Deputy Commissioner of Labour,
Dindigul.

2.M.Ramasamy

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records relating to the impugned order dated 29.02.2016 made in T.N.S.E.A.No.1 of 2015 passed by the first respondent and quash the same.

For Petitioner : Mr.D.Venkatesh

For R-1 : Mr.A.Baskaran,
Additional Government Pleader.

For R-2 : Mr.G.Murugan



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that the first respondent has not indicated whether the second respondent is entitled to consequential order. Since the present writ petition is filed by the Management and the second respondent has not challenged the impugned order, this Court is not inclined to grant any relief. More so, in the Management appeal, the second respondent cannot seek any relief. The second respondent ought to have preferred independent appeal, if he is so aggrieved. Hence, the consequential prayer in the Management appeal is declined. However, this Court is of the considered opinion that the consequential relief of continuity of service and backwages is left open to the parties to adjudicate.

4. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

10.01.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Nsr

To

The Appellate Authority
Under Shops and Establishments Act, 1947/
The Deputy Commissioner of Labour,
Dindigul.

<https://www.mhcl.madras.gov.in>



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S.SRIMATHY, J.

Nsr

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