



W.P.No.16077 of 2008

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 02.12.2024

CORAM:

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.16077 of 2008

and

MP.No.1 of 2008

The Commissioner
Corporation of Chennai
Chennai 3.

... Petitioner

Vs.

1.Sakunthala

2.The Presiding Officer
II Additional Labour Court
Chennai.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records in I.D.No.555 of 2000 on the file of the II Additional Labour Court, Chennai order dated 07.12.2001 and quash the same.

For Petitioner : Ms.K.Aswini Devi



WEB COPY



W.P.No.16077 of 2008

For Respondents : R1-Not ready in notice
R2 – Labour Court

ORDER

This Writ Petition is filed in the year 2008 challenging the award passed in I.D.No.555 of 2000 dated 07.12.2001 on the file of the II Additional Labour Court, Chennai. Till date, the notice remains unserved on the ground that the Workman had vacated the place. Therefore, this Court by an earlier order dated 19.11.2024 directed the petitioner management namely Corporation of Chennai to ascertain whether any claim has been subsequently made by the said workman namely Shakuntala claiming reinstatement or the benefits of the award, so that atleast substituted service can be ordered and service can be completed.

2. Today, the learned counsel appearing on behalf of the Corporation would submit that inspite of best efforts, no such records are available with the Corporation and they are not able to ascertain any claim which is subsequently made by the said Sakunthala.

3. In view there of since the award was passed in the year 2001



W.P.No.16077 of 2008

and Workman did not even claiming the benefit of the award with the management till today, even after elapse of 23 years, no further purpose will be served in further prosecuting this Writ Petition, keeping it pending. Accordingly, recording the fact that the Workman, even after the award had not approached the Corporation for any reinstatement or wages whatsoever, till date, the Writ Petition shall be treated as closed. It is made clear that if any future date the Workman makes any claim, then the petitioner Corporation will be entitled to file appropriate application in this Writ Petition for reopening the same. With the above liberty to the petitioner, this Writ Petition stands closed. No costs. Consequently, connected Miscellaneous Petition is closed.

02.12.2024

Neutral Citation : No
dna

To

The Presiding Officer
II Additional Labour Court
Chennai.

D.BHARATHA CHAKRAVARTHY, J.

3/4



WEB COPY



W.P.No.16077 of 2008

dna

W.P.No.16077 of 2008
and
MP.No.1 of 2008

02.12.2024