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W.P.No. 17108 of 2008

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2024

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No. 17108 of 2008

and

W.M.P.No.1 of 2008

Kovai Mavatta
Param Thookum Thozhilar Munnetra Sangam
Regd No. 557 (Affiliated to Labour Progressive
Federation Registration No. 374)
Having Office at 16/33, Theppakulam Street,
Coimbatore – 641 001.
Rep. by its President,
Mr.A.Mohammed

... Petitioner

Vs

1. Conciliation Officer cum
Assistant Labour Commissioner (Central)
Chennai.
Sasthri Bhavan,
Haddows Road, Chennai.
2. The Management of Coimbatore,
Coimbatore, North & Irugur
Goodsheds of Souther Rly clearing &
Forwarding Agent Association,
Rep. by its President Mr.S.Bharathan,
Regd No. 221/73,
26 a, S.N. Das Layout,



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Tatabad, Coimbatore – 641 012.

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3. Central Trade Union Congress of India,
Rep. by its Secretary,
T.Senthilraj
13/12, Ramu Nagar,
Irugur, to A.G.Pudhur Road,
Irugur, Coimbatore - 641 103.
4. Anna Tholirsanga Peravai,
Rep. by its President,
K.Parthiban,
S/o. Anndal Karruppannan,
9/5, Jinning Factory Road,
Irugur, Coimbatore - 641 103.
5. Liberation Labour Front,
Rep. by its President,
Mailsamy,
Madurai Veeran Kovil Street,
Sangam Maithanam West,
Ondipudur, Coimbatore.
6. All India Trade Union Congress,
Rep. by its Secretary,
M.Murugan,
C/o. T.Senthilraj
13/12, Ramu Nagar,
Irugur, to A.G.Pudhur Road,
Irugur, Coimbatore - 641 103.
7. Labour Progressive Federation,
Rep. by its President,
G.Kathirvel
S/o. Ganapathy,
13/12, Ramu Nagar,



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Irugur, to A.G.Pudhur Road,
Irugur, Coimbatore - 641 103.

8. Marumalarchi Labour Front,
Rep. by its President,
E.K.Chandrasekaran
10/11, D.S.K.Street,
Irugur, Coimbatore - 641 103.
9. Desia Murpokku Dravida Kalagam,
Rep. by its President,
Paramasivam,
9/13, Irugur to Onedipudur Road,
Irugur, Coimbatore - 641 103.
10. Indian National Trade Union,
Congress Rep. by its President,
Sivaraj,
No. 9, Poosare Planimalai Devar Street,
Irugur, Coimbatore - 641 103.
11. Bharathia National Trade Union Congress,
Rep. by its President,
Muruganandam,
No. 9, Anndiyanna Devar Street,
Angalamman Kovil Maithanam,
Irugur, Coimbatore – 641 103.
12. Pattali Makkal Katchi,
Rep. by its President,
Senthil Kumara Pandian,
S/o. Muthukumarasamy,
16/21, Pajanai Kovil Street,
Irungur, Coimbatore - 641103.



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13. Central Trade Union Congress,
Liberation Labour Front,
Anna Tholirsanga Peravai,
A.G.Pudur,
Rep. by Kannaiyan,
Marudachalam, Velusamy
C/o. T.Senthilraj, 13/12, Ramu Nagar,
Irugur to A.G.Pudhur Road,
Irugur, Coimbatore - 641 103.
14. Kamatchipuram,
Manickam,
C/o. T.Senthilraj
13/12, Ramu Nagar,
Irugur to A.G.Pudur Road.
15. Ravathur
C/o. T.Senthilraj,
13/12, Ramu Nagar,
Irugur, to A.G.Pudhur Road,
16. Women Self Help Group,
Rep. by President, Geetha Devi,
W/o. Aruchamy,
No. 13/21, Ramnu Nagar,
Irugur to A.G.Pudhur Road,
Irugur, Coimbatore – 641 103.
17. Irugur Lorry Urimyyalargal & Railway
Goods Movers Association,
Rep. by its President D.Govindaraj,
9/53 Indra Nagar,
Irugur Onedipudur Road, Coimbatore – 641 103.
(R17- impleaded as per Court order
dated 04.09.2008 in M.P.No. 2 of 2008
in W.P.No. 1708 of 2008)

... Respondents



W.P.No. 17108 of 2008

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Declaration, declaring that the impugned settlement dated 03.07.2008, made between the respondents 2 to 16 in the course of conciliation proceedings initiated by the first respondent, as illegal and violative of Section 12(3) of the ID Act, 1947.

For Petitioner : Mr.K.V.Shanmuganathan

For R1 : Mr.C.Samivel, SPCGSC

For R2 : Mr.S.Sivakumar

For R3, 4, 8 & 9 : Mr. K.Elango

For R17 : Mr. A.Sivaji

ORDER

When the matter was taken up for hearing, the learned counsel for the petitioner submits that this writ petition is challenging the settlement dated 03.07.2008 and in view of the efflux of time, since the period covered by the settlement itself is over, nothing survives in this writ petition and submits that the matter can be disposed of having become infructuous.

2. Recording the above said submission, the writ petition is dismissed as having become infructuous. Consequently, connected miscellaneous petition is closed. No cost.

07.11.2024

Neutral Citation: Yes/No
nsl

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Assistant Labour Commissioner (Central)
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Rep. by its President Mr.S.Bharathan,
Regd No. 221/73,26 a, S.N. Das Layout,
Tatabad, Coimbatore – 641 012.
3. The Secretary,
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T.Senthilraj, 13/12, Ramu Nagar,
Irugur, to A.G.Pudhur Road,
Irugur, Coimbatore - 641 103.
4. The Secretary,
All India Trade Union Congress,
M.Murugan, C/o. T.Senthilraj
13/12, Ramu Nagar, Irugur, to A.G.Pudhur Road,
Irugur, Coimbatore - 641 103.
5. The President,
Indian National Trade Union Congress
No. 9, Poosare Planimalai Devar Street,
Irugur, Coimbatore - 641 103.
6. The President,
Bharathia National Trade Union Congress,
Muruganandam, No. 9, Anndiyanna Devar Street,
Angalamman Kovil Maithanam,
Irugur, Coimbatore – 641 103.



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nsI

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