



W.P.No. 12417 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 11.11.2024

CORAM:

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

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1. D.Kumaraswamy
2. Z.Hilal Ahamed
3. P.Anbazhagan
4. M.Ponveeramani
5. C.Gnanavel
6. M.Gunasekaran
7. P.Paulraj
8. K.Ramesh
9. K.Babu
10. V.Vijayakumar
11. R.Raju
12. P.Arokyaraj
13. V.Ezhilrasan
14. K.Ramesh
15. C.Uddayasankar
16. K.Ramu
17. S.Riyaz
18. S.Barathy Mohan
19. D.Senthil Prabhu
20. C.Arumugan
21. K.Marimuthu
22. D.Krishnan
23. K.Settu
24. B.Raja
25. D.Poomaran
26. K.Murugan



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27. K.Rajan
28. M.Umamaheswara Rao
29. P.V.Ramachandran
30. B.Rajan
31. G.Irudhaya Raj
32. G.Krishnasamy
33. B.Vijay
34. S.Saravanan
35. M.Ramachandran
36. B.Venkatesan
37. M.Jambungam
38. V.Sathish Kumar
39. T.Backiyalakshmi
40. P.Balu
41. M.Devi
42. C.Mariammal
43. G.Arokimary
44. S. Sathish Kumar
45. S.Pitchai
46. S.Nagaraj
47. P.Devaraj
48. V.Vellaysamy
49. M.Murugan
50. T.Thirumuguran
51. M.Rajesh
52. B.Mogan
53. D.Vignesh
54. M.Karbaka Vealn
55. R.Sirinvasan
56. S.Gugan
57. S.Palani
58. K.Raju
59. V.Ramesh Kumar

... Petitioners

Vs.



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1. Bharath Petroleum Corporation Limited,
(A Govt of India Enterprises)
Rep. by its General Manager,
No. 1, Ranganathan Garden 11th Main Road,
Anna Nagar West, Chennai - 40.
2. Company Owned Company Operated Outlet,
Rep. by its Manager, 32A, T.S.Krishna Nagar, Mugappair,
Anna Nagar West, Chennai - 50.
3. Sqn. Ldr. Venkatadri (Retd)
New No. 20, 18th Avenue,
Ashok Nagar, Chennai – 83.
4. S.Ramachandran
5. The Presiding Officer,
Central Government Industrial Tribunal-cum Labour Court,
Shastri Bhavan, Chennai - 600 006. ... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, after calling for the records from the Tribunal relating to its order dated 29.01.2010 in C.P.No. 1 of 2008, quash the same and consequently direct the respondents 1 and 2 pay wages for the month July 2007 onwards.

For Petitioners	: No appearance
For R1	: Mr.Anand Gopalan for M/s. Agam Legal Advocates
For R2 & R3	: No appearance



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For R4

: No appearance
for M/s. Sai Raj Associates

ORDER

When the matter came up on 21.10.2024, the learned Counsel for the petitioner represented that the parties have taken papers and change of vakalat from her and the same was recorded by this Court. The name of the petitioners are also printed and the matter is listed under the caption 'for dismissal'. Today also the learned Counsel for the petitioner appeared before this Court and submit that already papers have been taken back from her.

2. The learned counsel appearing on behalf of the respondents would submit that in this case, the petition is filed challenging the award passed in C.P.No.1 of 2008 thereby rejecting the claim of the petitioners workmen under Section 33(C)(2) of the Industrial Disputes Act. The workmen were all employed in a Petrol Bunk. On account of ceasure of operations, their services were terminated and the claim of wages was in respect of months post termination. The Labour Court considered the same and dismissed the claim amount. Even if the workmen are aggrieved, they ought to have raised a dispute as against their termination and this petition under Section 33(C)(2) was rightly held to be not maintainable.



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3. In view thereof and further, it is also submitted that subsequently the matter seems to have been settled between the parties and the workmen are not interested.

4. Finding no merits in the grounds raised in the writ petition. The writ petition stands dismissed. No costs.

11.11.2024

Neutral Citation: Yes/No
nsl

To

1. The General Manager,
Bharath Petroleum Corporation Limited,
(A Govt of India Enterprises)
No. 1, Ranganathan Garden 11th Main Road,
Anna Nagar West, Chennai - 40.
2. The Presiding Officer,
Central Government Industrial Tribunal-cum Labour Court,
Shastri Bhavan, Chennai - 600 006.



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nsI

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