



WEB COPY



W.P.No.24563 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.No.24563 of 2010

and

M.P.No.1 of 2012

Sical Logistics Ltd.
(ACT India Ltd., Amalgamated),
Rep by its Company Secretary,
“South India House”
No.73, Armenian Street,
Chennai 600 001.

...Petitioner

Vs

1.N.Kaleeswaran

2.Presiding Officer,
Principal Labour Court,
Chennai.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified to call for the entire records from the file of the second respondent – The learned Presiding Officer, Principal Labour Court, Chennai, vide award passed in I.D.No.380/1995 on 31st December 2009 and to quash the same.

For Petitioner	: Mr.S.Sathiyannarayanan
For R1	: M/s.Row & Reddy
For R2	: Labour Court



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ORDER

This Writ petition has been filed to call for the entire records from the file of the second respondent, the learned Presiding Officer, Principal Labour Court, Chennai, vide award passed in I.D.No.380 of 1995 on 31st December 2009 and to quash the same.

2. When the matter is taken up, the learned counsel for the petitioner filed a memo stating that in view of the subsequent changes in the petitioner company including Corporate Insolvency Resolution Process, petitioner does not want to pursue this writ petition and seeks permission to withdraw this writ petition. This was opposed by the learned counsel for the first respondent stating that no details are given regarding the IBC case proceedings and the pendency of the forum.

3. It is seen from the records that the first respondent raised an industrial dispute with regard to his dismissal in I.D.No.380 of 1995. After contest, I.D.No.380 of 1995 was disposed of directing the respondent therein to reinstate the petitioner therein in service with 50% backwages, continuity of service and all other attendant benefits.



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4.In view of the pending Corporate Insolvency Resolution Process against the petitioner company, a memo has been filed for withdrawal of this present writ petition. This Court permits the petitioner to withdraw the writ petition and this writ petition is dismissed as withdrawn.

5.The first respondent submitted that he has not been paid the monetary benefits though he was reinstated. It is for the first respondent to work out his remedy in the manner known to law before the appropriate forum.

6.With the above directions and observations, this Writ Petition is dismissed as withdrawn. Parties are directed to bear their own costs. Consequently, connected miscellaneous petition is also closed.

05.02.2024

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Internet: Yes
Index: Yes/No
Speaking/Non speaking order
NCC: Yes/No



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G.CHANDRASEKHARAN, J.

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To
The Presiding Officer,
Principal Labour Court,
Chennai.

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