



W.P.No.2738 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2024

CORAM :

THE HONOURABLE **DR. JUSTICE D.NAGARJUN**

W.P.No.2738 of 2015
and
M.P.No.1 and 2 of 2015

N.Krishnamoorthy

... Petitioner

Vs.

1. The Presiding Officer,
Labour Court, Trichy.
2. The Management,
Ty.SPL.84, Kottiyal Primary Agricultural
Coop. Credit Society,
Kottiyal Village & post,
T.Palur via, Udayarpalayam Taluk,
Ariyalur District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus, calling for the entire records relating to the award dated 29.09.2014 passed in I.D.No.71 of 1999 on the file of the Labour Court, Trichy and quash the same insofar relates to rejection of claim of back wages claimed by the petitioner consequently



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directing the second respondent to disburse the Gratuity, Provident Fund and Earned Leave Salary as per U/s 78 and 79 of Tamil Nadu Coop. Societies Act, 1983 to the petitioner.

For petitioner	:	Ms.R.Hemalatha for Mr.C.Prakasam
For R1	:	Mr.S.Ravikumar Special Government Pleader
For R2	:	Mr.L.P.Shanmugasundaram

ORDER

This writ petition is filed to quash the award dated 29.09.2014 passed in I.D.No.71 of 1999 on the file of the Labour Court, Trichy and direct the second respondent to disburse the Gratuity, Provident Fund and Earned Leave Salary as per U/s 78 and 79 of Tamil Nadu Coop. Societies Act, 1983 to the petitioner.

2. The learned counsel for the petitioner is present and requested for a short accommodation stating that the case bundles and the files which was taken by the petitioner has not been returned so far as. It is seen from the records that the petitioner has taken adjournments more than six times on the



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ground that the translated copy of the impugned order would be filed and the same was not done so. Today, this matter is listed under the caption "for dismissal" with a contention that atleast today the learned counsel for the petitioner would come forward and submit his arguments. Even today, the petitioner has not shown any interest in prosecuting this case

3. Therefore, there are no other options except to dismiss this writ petition. Considering the above, this writ petition is dismissed with a liberty to the petitioner to file appropriate application for restoration of the writ petition, if the petitioner shows any interest to prosecute this case. Connected M.P. is closed. No costs.

22.01.2024

vca



WEB COPY



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DR.D.NAGARJUN.J.,

vca

To:

The Presiding Officer,
Labour Court, Trichy.

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