



WEB COPY



W.P. Nos.26948 and 26949 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2024

CORAM

THE HONOURABLE Mr. JUSTICE P.DHANABAL

W.P. Nos.26948 and 26949 of 2013

R. Arthi W/o. Raja

... Petitioner

[common in both W.Ps.]

Vs.

1. The Secretary to Government,
Ministry of Labour, Government of India,
Sharanshakthi Bhavan, Rafi Marg, New Delhi-1.

2. The Deputy Chief Labour Commissioner [Central],
Shastri Bhavan, 5th Floor, Haddows Road, Chennai-600 006.

3. The District Collector, Nilgiris District.

4. The Cordite Factory,
represented by its General Manager,
Aruvankadu, Nilgiris - 643 202.

..... Respondents

[common in both W.Ps.]

PRAYER in W.P. No.26948 of 2013: Writ Petition is filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus directing the 1st respondent to sanction prosecution against the management of the 4th respondent and the persons falling under Section 32 of the Industrial Disputes Act, 1947 based on the complaint dated 06.08.2013 of the petitioner under Section 29 of the Industrial Disputes Act, 1947, appoint and authorise P.C.



W.P. Nos.26948 and 26949 of 2013

Ashokan, Joint Secretary of the Cordite Factory Labour Union, 338/10, Cordite Factory Estate, Aruvankadu, Nilgiris, to prosecute the criminal proceedings.

PRAYER in W.P. No.26949 of 2013: Writ Petition is filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus directing the 4th respondent management to implement the award of the Central Government Industrial Tribunal-cum-Labour Court, Chennai-6 dated 22.02.2013 in I.D. No.11 of 2012 within the time frame.

For Petitioner : Mr. K.M. Ramesh, Senior Counsel.
[common in both W.Ps.] for M/s. S. Apunu

For Respondents : Mr. K. Gunasekar [For R1, R2 & R4]
[common in both W.Ps.] Senior Panel Counsel for
Central Government [SPCCG],

Mr. T. Chezhan,
Additional Government Pleader
[for R3]

COMMON ORDER

When the matters are taken up for hearing, the learned Senior counsel appearing for the petitioner would submit that an award was passed in Industrial Dispute No.11 of 2012 and thereafter, the award was challenged through a Writ petition and now the Writ appeal is also pending. Therefore, the prayer in these Writ petitions become infructuous.



W.P. Nos.26948 and 26949 of 2015

2. The learned Senior Panel Counsel for Central Government appearing for the respondents 1,2 and 4 and the learned Additional Government Pleader appearing for the 3rd respondent, have not disputed.

3. Recording the above said submissions, this Writ petition is dismissed as 'infructuous'. No costs.

28.11.2024

Index : Yes/No
Speaking order/non-speaking order
mjs

P.DHANABAL, J.
mjs

To

The Secretary to Government,
Ministry of Labour, Government of India,
Sharanshakthi Bhavan, Rafi Marg, New Delhi-1.

2. The Deputy Chief Labour Commissioner [Central],
Shastri Bhavan, 5th Floor, Haddows Road, Chennai-600 006.

3. The District Collector, Nilgiris District.

4. The Cordite Factory,
represented by its General Manager,
Aruvankadu, Nilgiris - 643 202.



WEB COPY



W.P. Nos.26948 and 26949 of 2013

W.P. Nos.26948 and 26949 of 2013

28.11.2024