



WEB COPY



W.P.No.12334 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.04.2024

CORAM:

THE HONOURABLE JUSTICE Dr. JUSTICE D. NAGARJUN

W.P.No.12334 of 2024

and

W.M.P.No.13444 of 2024

A.Ravivarma, Ex-President,
Chinnathirai Nadigar Sangam,
No.21/1 Murugesan Street,
T.Nagar, Chennai 600 017.
Petitioner

...

Vs.

1. The Commissioner of Labour,
Labour Welfare Office, DMS
Compound, Teynampet,
Chennai – 600 006.
2. G.Sivan Srinivasan,
President,
Chinnathirai Nadigar Sangam,
Registered under the Indian Trade
Union Act No.2999 CNI having its
office at No.1/75 Venkatesa Nagar
Extn., 1, 2nd street, Virugambakkam,
Chennai – 600 092.

..Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking to issue a writ of mandamus directing the first respondent to consider and dispose the representation made by the petitioner dated 02.04.2024.



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For petitioner : Mr.V.Jayachandran
For respondent : Mr.T.Tamilvendan
Government Advocate

ORDER

This writ petition has been filed seeking for a direction to consider and dispose the petitioner's representation dated 02.04.2024.

2. It is submitted by the learned counsel for the petitioner that the petitioner was the Ex-President of Chinnathirai Nadigar Sangam, which was registered under the Trade Union Act in the year 2003 with 1860 members. In the year 2019, the petitioner was elected as the President of the Sangam and worked for the period of three years, from 2019 to 2022. Subsequently, elections were conducted for the period 2022 to 2055 and the second respondent was elected as President of the Sangam. Though, the petitioner contested in the election, he lost in the elections of the General Body Meeting was conducted by the second respondent on 26.01.2024 wherein the petitioner was banned for a period of nine years from contesting in election for any office bearer posts.



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3. It is submitted by the learned counsel for the petitioner that passing of such resolution is against the by laws and that the petitioner was not given any notice prior to taking of such decision. The learned counsel for the petitioner has submitted that the petitioner has submitted a representation dated 02.04.2024 before the first respondent / Commissioner of Labour to intervene and pass proceedings in respect of the impugned order dated 23.01.2024, however, the Commissioner of Labour has kept the petitioner's representation pending. Aggrieved by the same, the present writ petition is filed.

4. The learned Government Advocate has taken notice for R1 and submitted that the petitioner's representation dated 02.04.2024 will be considered and disposed of by the first respondent on merits as quickly as possible.

5. Considering the discussions made above, as the petitioner is only seeking for issuance of writ of mandamus to the first respondent Commissioner of Labour to dispose his representation dated 02.04.2024, notice to the second respondent is not necessary.



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Dr.D.NAGARJUN, J.

vca

6. Accordingly, this writ petition is disposed of directing the first respondent / Commissioner of Labour to dispose of the petitioner's representation dated 02.04.2024 as quickly as possible not later than six weeks from the date of receipt of a copy of this order. Connected W.M.P is closed. No costs.

30.04.2024

vca

Internet : Yes/No
Index : Yes/No
Citation : Yes/no

To,

The Commissioner of Labour,
Labour Welfare Office, DMS
Compound, Teynampet,
Chennai – 600 006.

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and
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