



WEB COPY



W.P.No. 16734 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2024

CORAM:

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

W.P.No. 16734 of 2022

and

W.M.P.Nos.16043 & 16044 of 2022

K.Chinnadurai

... Petitioner

Vs

1. Sail Refractory Company Limited,
Rep. by its Chief Operating Officer,
Post Box No. 565,
BSCL Road, Salem- 636 005.

2. The Deputy General Manager (Personnel and Administration)
Sail Refractory Company Limited,
Post Box No. 565,
BSCL Road, Salem – 636 005.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, calling for the records relating to the order No.SRCL/P&A/21-22/262(C)/666 dated 18.06.2022 passed by the second respondent and to quash the same as being illegal, arbitrary and contrary to the Award dated 16.02.2006 passed in I.D. No. 592 of 2001 and the order dated 06.03.2015 passed by the Certifying officer and confirmed on 20.11.2015 by the Appellate Authority under the Industrial Employment (Standing orders) Act, 1946 and for consequential direction to the first



W.P.No. 16734 of 2022

respondent to continue the petitioner workman upto the age of 60 years as the first respondent has agreed to absorb them by an agreement dated 25.04.2013 in overall settlement of the Award dated 16.02.2006 passed in I.D. No. 592 of 2001.

For Petitioner : Mr.V.Govardhanan
For R1 : Mr.A.V.Arun
Assisted by J.M.Abinu Munisha
For R2 : No appearance

ORDER

When the matter was came up for hearing, the learned counsel for both sides would submit that the matter relates to age of retirement.

2. It is the contention of the workmen that the age of retirement should be increased from 58 to 60 years. In the connected matters, similarly placed workmen were allowed to continue upto the age of 60 years and they have superannuated and recording the same, the writ petition also came to be closed.



W.P.No. 16734 of 2022

3. As far as case of the petitioner is that there is a dispute between the petitioner and the Management as to date of his birth. The Management after considering the entry made in the service register concluded that 01.07.1964 is the date of birth. However, according to the petitioner, his date of birth is only 16.07.1975. Aggreived by the action of the Management, he has filed W.P.No.16662 of 2023. In the said writ petition, the respondent Managment was directed to reconsider the issue and the matter is pending.

4. Therefore recording the above facts and ultimate right of this petitioner would be dependant on the outcome of the said proceedings which are said to be pending, this writ petition is closed. Consequently, connected miscellaneous petition is closed. No costs.

08.11.2024

Neutral Citation: Yes/No
nsl



WEB COPY



W.P.No. 16734 of 2022

D.BHARATHA CHAKRAVARTHY, J.

ns1

W.P.No. 16734 of 2022

08.11.2024