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W.P.Nos.17042 & 17043 of 2004

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2025

CORAM:

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.Nos.17042 & 17043 of 2004

and

WP.MP.Nos.20211, 20213 & 20214 of 2004

Southern Structurals Staff Union
Rep.by its General Secretary
Regd No.1054/CPT
No.3/1, 4th Cross
Kamaraja Street
Gandhi Nagar West
Avadi, Chennai 600 054.

... Petitioner in both W.P.Nos.

Vs.

1.The State of Tamil Nadu
Rep.by its Secretary
Department of Industries
Fort St.George
Chennai 600 009.

2.The Management of
Southern Structural Ltd
Rep.by its Chairman Cum
Managing Director
C.T.H.Road, Pattabiram
Chennai 600 072.



W.P.Nos.17042 & 17043 of 2004

3.Board for Industrial Financial
Reconstruction (BIFR)
Jawahar Vyapar Bhavan
9th Floor Annexe
No.1, Tolstoy Marg
New Delhi 110 001.

...Respondents in both W.P.Nos.

Prayer in W.P.No.17042 of 2004 : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, after calling for the records relating to notification G.O.Ms.No.90 Industries (MIG.I) Department dated 17.09.2003 issued by the first respondent declaring the second respondent as a relief undertaking under Section 3 of the Tamil Nadu Relief Undertaking Act as illegal, arbitrary and in violation of Article 14 and 21 of the Constitution of India to quash the same and consequently direct the second respondent to act in conformity with the provisions of the Industrial Disputes Act and other Labour Legislations, award costs.

Prayer in W.P.No.17043 of 2004 : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, after calling for the records relating to notification G.O.Ms.No.90 Industries



W.P.Nos.17042 & 17043 of 2004

(MIG.I) Department dated 17.09.2003 issued by the first respondent under

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Section 3 of the Tamil Nadu Relief Undertaking Act as illegal, arbitrary and in violation of Article 14 and 21 of the Constitution of India to quash the same and consequently direct the second respondent to act in conformity with the provisions of the Industrial Disputes Act and other Labour Legislations, award costs.

For Petitioner in
both W.P.Nos. : Mr.V.Govardhanan

For Respondents in
both W.P.Nos. : Mr. K.Surendran for R1
Additional Government Pleader

Mr.Sushanth for R2
for M/s.T.S.Gopalan & Co

Mr.S.Thankasivan for R3
(CGSSC)

COMMON ORDER

When the matter came up for hearing, Mr.V.Govaradhanan the learned counsel appearing on behalf of the petitioner would submit that they have already given change of vakalat. The same is recorded. No other counsel



W.P.Nos.17042 & 17043 of 2004

is appearing on behalf of the petitioner. The name of the petitioner is already printed in the cause-list. On a perusal of the prayer in the Writ Petitions, the petitioner challenges the notification of the Government in declaring the second respondent management as a relief undertaking as per GO.Ms.No.90 dated 17.09.2003 and GO.Ms.No.91 dated 17.09.2003. It can be seen that the declaration itself was issued for a period of one year and it was also a relief only with reference to the Sick Industrial Companies Act. Therefore, nothing further survives to be adjudicated in these Writ Petitions .

2. Accordingly, these Writ Petitions are dismissed as infructuous.

No costs. Consequently, connected Miscellaneous Petitions are closed.

22.01.2025

Neutral Citation : No
dna



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WEB COPY **To**

The Secretary
Department of Industries
Fort St.George
Chennai 600 009.



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D.BHARATHA CHAKRAVARTHY, J.
dna

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WP.MP.Nos.20211, 20213 & 20214 of 2004

22.01.2025