



WP(MD)No.14258 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

**WP(MD)No.14258 of 2019
and
WMP(MD)No.10706 of 2019**

MD Spl 6, Kottakudi Primary Agricultural
Co-Operative Credit Society Ltd,
Rep by its Secretary, Kottakudi,
Bodinayakkanur
Opp to Ponnu Cinema Theatre,
Theni District.

...Petitioner

Vs

1.The Appellate Authority under the
Shops and Establishments Act,
(Joint Commissioner of Labour)
Collectorate Building,
Velu Nachiyar Valagam, Dindigul.

2.R.Sivakumar

...Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of a Writ of certiorari to call for the records relating to the order dated 07.06.2019 passed in TNSE No.2/2019 on the file of the 1st respondent and quash the same.



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For Petitioner : Mr.V.O.S.Kalaiselvam

For Respondent : Mr.C.Venkateshkumar

No.1 Special Government Pleader

For Respondent : Mr.P.R.Prithivraj

No.2

ORDER

The 2nd respondent an employee of the petitioner society was dismissed from service on 16.03.2011. As against the order of dismissal the 2nd respondent has filed an application before the 1st respondent appellate authority under the Tamil Nadu Shops and Establishments Act. The 1st respondent has allowed the application filed by the 2nd respondent and directed the petitioner management to reinstate the 2nd respondent into service. Challenging the same this writ petition is filed.

2.When this writ petition is taken up for hearing the learned counsel for the 2nd respondent submits that in view of the litigation, the 2nd respondent has not been permitted to join duty and therefore, he has availed some other job in Chennai. Therefore, he is not inclined to proceed with the orders of the 1st respondent.



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3. Recording the above submission this writ petition is allowed and the impugned order is set aside. No costs. Consequently connected miscellaneous petition is closed.

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Index : Yes / No

DSK

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