



W.P.(MD)No.16769 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.16769 of 2020

and

W.M.P.(MD)Nos.14004 & 14005 of 2020

1.Muthuvel
2.K.Shanmugam

... Petitioners

Vs.

1.The Chief Secretary to the Government,
Secretariat, Chennai-600 009.

2.The Secretary to the Government,
Personnel and Administrative Reform Department,
Secretariat, Chennai-600 009.

3.The Deputy Commissioner of Labour,
No.2, Abdul Salam Street,
Khajamalai Colony, Trichy-620020.

4.M.Velayutham
5.A.Elumalai

...Respondents

(R1 cause title deleted vide Court order dated 27.11.2020 in W.P.(MD)No.16769 of 2020)



W.P.(MD)No.16769 of 2020

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the impugned order registration of the Tamil Nadu Primary Milk Producers Co-operative Society Employees Union (Registration No.1461/TRI) passed by the 3rd respondent vide his proceedings in Na.Ka.No.A1/3355/2017, dated 06.10.2017 and quash the same as illegal.

For Petitioners : Mr.P.Arunkumar,
for Mr.C.Mayilvahana Rajendran
For R2 & R3 : Mr.P.Thilak Kumar,
Government Pleader
For R4 & R5 : Mr.J.C.Rathnavel Pandian

ORDER

(Order of the Court was made by ***S.M.SUBRAMANIAM, J.***)

This Writ Petition has been instituted, challenging the registration of the Employees Union under the Trade Union Act.

2.The learned counsel appearing for the petitioners would submit that the respondents 4 and 5 are not the eligible members and therefore, the registration must be cancelled.



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3.This Court is of the considered view that if at all ineligible members are admitted in the Trade Union, the petitioners have to approach the competent authority for initiation of appropriate action. However, they cannot seek relief to cancel the registration of an Union, which was made otherwise in accordance with the provisions of the Act. Therefore, granting liberty to the petitioners to raise a dispute before the appropriate authority, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

(S.M.S., J.) & (A.D.M.C., J.)
29.07.2025

NCC : Yes / No
Index : Yes / No

Yuva

To

- 1.The Secretary to the Government,
Personnel and Administrative Reform Department,
Secretariat, Chennai-600 009.
- 2.The Deputy Commissioner of Labour,
No.2, Abdul Salam Street,
Khajamalai Colony, Trichy-620020.

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