



W.P.(MD)No.7453 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.01.2025

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THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.7453 of 2018 &
W.M.P.(MD)No.7115 of 2018

The General Manager,
Tamil Nadu State Transport Corporation
[Tirunelveli] Limited,
Nagercoil Region,
Ranithottam, Nagercoil -1.

...Petitioner

vs.

1.The Presiding Officer,
Labour Court, Tirunelveli.

2.M.Senthil Kumar (Driver)
Represented by his General Secretary,
Kanyakumari District Bharathiya
State Transport Employees Union,
4/196-A, Saratha Nagar, Parvathy Puram,
Nagercoil - 3.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of certiorari calling for the records of the first respondent in the proceedings in I.D.No.41 of 2017 dated 31.07.2017, quash the same.



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W.P.(MD)No.7453 of 2018

For Petitioner : No appearance

For Respondents : Mr.B.Karunanithi
for Mr.A.Thirumoorthy for R2

ORDER

When the matter was taken up for hearing on 02.08.2023 and 30.08.2023, there was no representation for the petitioner. When the matter once again came up for hearing on 05.11.2024, Mr.Jeyaram, learned counsel appearing for the petitioner submitted that he is going to file change of vakalath. Therefore, the matter was adjourned to 14.11.2024. However, on 14.11.2024, none appeared for the petitioner. Therefore, this Court directed the Registry to list the matter under the caption 'for dismissal'. Accordingly, the matter was listed on 20.11.2024 and on that day, at the request on both sides, the matter adjourned to be listed after two weeks and Registry was directed to remove the caption 'for dismissal'. Thereafter, when the matter came up for hearing on 05.12.2024, the petitioner counsel was not ready to proceed with the case. This Court after hearing the learned counsel for the second respondent, adjourned the matter to 09.12.2024 and directed the Registry to list the matter under the caption 'for orders'. It was made clear that no



W.P.(MD)No.7453 of 2018

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further adjournment will be given. However, when the matter came up for hearing on 11.12.2024, at the request of the learned counsel for the petitioner, the matter was once again adjourned to 07.01.2025. Even on 07.01.2025, there was no representation for the petitioner. Hence, the Registry was directed to list the matter under the caption 'for dismissal' on 22.01.2025.

2. Today also, when the matter is called, there was no representation for the petitioner, which shows that the petitioner is not interested to contest the matter. In view of the same, the present writ petition is dismissed for non-prosecution. It is made clear that, if any application is filed for restoring the writ petition to drag the matter further, the same will be entertained subject to the payment of a sum of Rs.25,000/-. No costs. Consequently, connected Miscellaneous Petition is closed.

22.01.2025

NCC:Yes/No

Index:Yes/No

Speaking/Non-speaking order

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W.P.(MD)No.7453 of 2018

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The Presiding Officer,
Labour Court, Tirunelveli.



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W.P.(MD)No.7453 of 2018

KRISHNAN RAMASAMY, J.

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W.P.(MD)No.7453 of 2018

22.01.2025