

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 23455/2019

(Arising out of impugned final judgment and order dated 12-02-2019 in WA No. 382/2019 passed by the High Court of Judicature at Madras)

THE CHAIRMAN CUM MANAGING DIRECTOR, HINDUSTAN
PHOTO FILMS MFG. CO. LTD

Petitioner(s)

VERSUS

THE DEPUTY DIRECTOR & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.149843/2019-EXEMPTION FROM
FILING O.T.)

Date : 04-10-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE K.M. JOSEPH

For Petitioner(s) Ms. V.Mohana, Sr. Adv.
Mr. Satya Mohan, Adv.
Mr. B.Ragunath, Adv.
Mr. P.Arun Kumar, Adv.
Mr. Vijay Kumar, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Learned senior counsel for the petitioner seeks to contend *inter alia* that the present case does not fall within the scope of The Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981 as in the definition clause of "employer" clause 2(1)(b) the industrial establishment has to be under the control of any department of State Government in India while in the present case the

petitioner is a Government company. It is a submission that this plea was raised as a preliminary submission even before the authority under the Act but yet in the impugned order, this aspect has not been dealt with.

The aforesaid being the position, learned senior counsel for the petitioner seeks to withdraw this petition with liberty to file a Review Application before the Division Bench of the High Court of Judicature at Madras.

The special leave petition is dismissed as withdrawn in terms aforesaid.

In case of adverse orders, liberty to approach this court again by challenging both the orders.

(ANITA MALHOTRA)
COURT MASTER

(ANITA RANI AHUJA)
COURT MASTER