



WEB COPY

WP No. 13206 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 13206 of 2026

AND

WMP NO. 14480 OF 2026

S.Nagarajan
S/o.Subramanian,
No.6, mariamman koil street,
santhikuppam, kilingikuppam panchayath,
Cuddalore District.

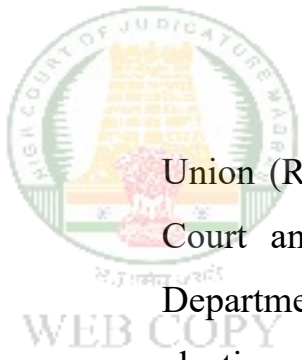
..Petitioner(s)

Vs

1. The Commissioner of Labour,
Labour Department,
Government of Puducherry.
Puducherry.
2. The Registrar of Trade Union,
Labour Department,
Government of Puducherry,
Puducherry.
3. The Management,
M/S.Hidesign India Private Limited,
Odiampattu Village, Villianur Commune,
Puducherry - 605 110.
4. High Design India Private Ltd Labour Union,
Rep. by its president,
No.244/1, odiampattu village,
Villianur Commune,
Puducherry - 605 110.

..Respondent(s)

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of writ of Mandamus directing the respondents 1 and 2 to conduct election to the office bearers of Hidesign India Private Limited Labour



Union (Reg.No.RTU 657/89) within a time frame to be fixed by this Hon'ble Court and appoint an independent Election Officer, preferably a Labour Department Officer or an Advocate Commissioner, to supervise and conduct the election.

For Petitioner(s): Mr.P.R.Thiruneelakandan

For Respondent(s): Mr.Meyyappan Ramasamy, Government Advocate (Pondicherry) for R1 and R2

Order

This Writ Petition has been filed by the petitioner to direct the respondents 1 and 2 to conduct election to the office bearers of Hidesign India Private Limited Labour Union.

2. Case of the petitioner is that the 4th respondent Trade Union has been functioning in the establishment for more than 40 years. As per the bye-laws of the Trade union, election to the office bearers of the Union has to be conducted once in three years through democratic process. The last election to the trade union office bearers was conducted on 19.01.2019. After the said election, no election has been conducted for more than six years. Hence, the petitioner and other workers repeatedly requested the existing office bearers, the Management and the labour Department authorities to conduct election. Series of representations were submitted. Despite repeated representations, no election has been conducted. Hence, the petitioner has filed this writ petition.



3. Learned counsel for the petitioner submitted that several office bearers elected in the year 2019, have retired from service and ceased to be members of the union. Despite this fact, the respondents continue to claim to hold office without conducting election, which is illegal and contrary to democratic principles governing trade unions.

4. Learned Government Advocate (Pondicherry) appearing for the respondents submitted that the representation dated 02.07.2025 was considered and a rejection order was passed on the same.

5. Heard both sides and also perused the materials available on record.

6. Considering the facts and circumstances of the case, this Court without expressing any opinion on the merits of the matter, directs the petitioner to submit a fresh representation to the respondents, along with a copy of this order, within a period of two weeks from the date of receipt of a copy of this order and if any representation is submitted, the respondents are directed to consider the same and pass orders in accordance with law, within a further period of four weeks thereafter.



7. With the above observations, the Writ Petition is disposed of. No costs.

Consequently connected miscellaneous petition is closed.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

SK

To

1. The Commissioner of Labour,
Labour Department,
Government of Puducherry.
Puducherry.
2. The Registrar of Trade Union,
Labour Department,
Government of Puducherry,
Puducherry.



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M.DHANDAPANI J.

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