

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.04.2015

CORAM

The Hon'ble Mr. Justice SATISH K.AGNIHOTRI
and
The Hon'ble Mr. Justice M. VENUGOPAL

W.A.Nos.590 & 591 of 2014

W.A. No. 590 of 2014:-

1. K. Maruthai
2. P. Selvaraju
3. K. Kamalakkannan
4. V. Sathiyathan
5. M. Malaiappan
6. S. Durairaj

... Appellants/Petitioners

Vs.

1. The Director of Industrial Safety & Health,
New No.69, Old No.35,
Indian Officers Association Bldg.,
First Floor, Thiru Vi Ka High Road,
Royapettah High Road,
Royapettah, Chennai.14.
2. The Deputy Director of Industrial Safety and Health,
No. H-27, Ellaiamman Koil Street,
Tiruvotriyur-Chennai 600 019.
3. The Chairman,
Tamilnadu Petroproducts Ltd.,
(Principal Secretary Industries Dept., Govt. of Tamilnadu),
Fort St. George, Chennai.9.
4. The Chairman/Managing Director,
TIDCO, 19A Rukmani Lakshmipathi Salai,
Egmore, Chennai 600 008.
5. The Managing Director,
Tamilnadu Petroproducts Ltd.,
Manali Express Highway,
Manali-Chennai 600 068.

6. The Vice President (Works),
Tamilnadu Petroproducts Ltd.,
Manali Express Highway,
Manali-Chennai 600 068.

7. J. Selva Kumar
(also known as Joseph Selvakumar),
Deputy General Manger (Industrial Relations),
Petroproducts Ltd.,
Manali Express Highway,
Manali-Chennai 600 068.

... Respondents/Respondents

W.A.No. 591 of 2014:-

Tamilnadu Petroproducts Employees' Union,
represented by its General Secretary,
No.8 Natesan Nagar, Madhavaram,
Chennai 600 060.

... Appellant/Petitioner

Vs.

1. The Director of Industrial
Safety & Health,
New No.69, Old No.35,
Indian Officers Association Bldg.,
First Floor, Thiru Vi Ka High Road,
Royapettah High Road,
Royapettah, Chennai.14.

2. The Deputy Director of Industrial
Safety and Health,
No. H-27, Ellaiamman Koil Street,
Tiruvotriyur-Chennai 600 019.

3. The Chairman,
Tamilnadu Petroproducts Ltd.,
(Principal Secretary Industries
Dept., Govt. of Tamilnadu),
Fort St. George, Chennai.9.

... Respondents/Respondents

Writ Appeals filed under Clause 15 of the Letters Patent
against the interim order dated 23.04.2014 made in W.P.Nos. 3448 and
3948 of 2014.

W.P.Nos. 3448 of 2014: Writ Petition has been filed under Article 226
of the Constitution of India for issuance of Writ of Certiorari
calling for the records relating to the impugned order dated
30.01.2014, issued by the Vice President (Works) the 6th respondent

transferring the petitioners Diploma Holders in Mechanical Engineering from Mechanical Department to Production Department as illegal, against law and quash the same.

W.P.Nos. 3948 of 2014: Writ Petition has been filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing respondents 1 and 2 to initiate prosecution against Tamil Nadu Petro Products having their office at Manali Express High Way, Manali, Chennai - 68 and Factory at Manali Industrial Area, Manali, Chennai - 68, the 3rd respondent, for transferring Mechanical Engineers to Production Department in violation of the Factories Act.

For Appellants
in WA No.590 & 591/2014 : Mr. K.V.Ananthakrishnan

For Respondents 1 to 4 : Not ready in notice
(in both W.As.)

For Respondent No.5 : Mr.N.R.R.Aruna Natarajan
in WA No.591/2014 for
M/s. C. Uma

For Respondent No.6
in WA No.591/2014 : Mr. R.Jayaprakash

COMMON ORDER

(Order of the Court was delivered by Satish K. Agnihotri, J.,)

Learned counsel appearing for the parties submitted that the appeals may be disposed of in terms of the joint memo dated 12.1.2015 filed by the parties.

2. In view of the above submission made by the learned counsel for the parties, these appeals are disposed of in terms of the joint memo dated 12.1.2015. The said joint memo shall part form of the order. Consequently, connected M.P. No. 1 of 2015 is closed. No costs.

Xerox Copy of memo of Compromise is Enclosed.

Sd/-
Deputy Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

1. The Director of Industrial
Safety & Health,
New No.69, Old No.35,
Indian Officers Association Bldg.,
First Floor, Thiru Vi Ka High Road,
Royapettah High Road,
Royapettah, Chennai.14.
2. The Deputy Director of Industrial
Safety and Health,
No. H-27, Ellaiamman Koil Street,
Tiruvotriyur-Chennai 600 019.
3. The Chairman,
Tamilnadu Petroproducts Ltd.,
(Principal Secretary Industries
Dept., Govt. of Tamilnadu),
Fort St. George, Chennai.9.
4. The Chairman/Managing Director,
TIDCO, 19A Rukmani Lakshmipathi Salai,
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Tamilnadu Petroproducts Ltd.,
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6. The Vice President (Works),
Tamilnadu Petroproducts Ltd.,
Manali Express Highway,
Manali-Chennai 600 068.

+1cc to Mr.R.Jaya Prakash, Advocate, S.R.No.20786

+2cc's to Mr.K.V.Ananthakrishnan , Advocate, S.R.No.21040

CA(CO)
CA(12/05/2015)

W.A.Nos.590 & 591 of 2014

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