

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2015

CORAM

THE HONOURABLE Mr. JUSTICE M.DURAISWAMY

W.P.No7350 of 2013

M.P.No. 1 of 2013

New Democaratic Labour Front - Axels India Limited
Cheyyar Branch,
Represented by its Secretary,
Regn. No.43/TVR
No.57, Subramaniyar Koil Street,
Ayyangarkulam,
Kancheepuram - 631 502.

... Petitioner

v.

1. Government of Tamil Ndu,
Represented by its Secretary
Labour and Employment Department,
Fort St. George, Chennai - 600 009.
2. Labour Office II,
Vellore.
3. The Management
Axels India Limited,
Vadamavandal Village,
Nammandi Post
Kancheepuram District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus, forbearing the respondent No.3 from altering the service conditions of the members of the union whose names are given in the Annexure to this affidavit filed in support this writ petition in any manner including discontinuance of service or transfer any member of the petitioner union or failing to provide employment without getting permission under Section 33 of the Industrial Disputes Act 1947 in the Industrial Dispute raised by the petitioner union which is pending conciliation before the second respondent as dispute Na.Ka.No.180/ 2013 regarding charter of demand and further direct the second respondent to conciliate and effect settlement and if no settlement is forthcoming, to submit failure report under section 12(4) of I.D. Act, 1947, and in turn the first respondent to refer the dispute for adjudication before the competent industrial adjudicator.

For petitioner : Mr.Balan Haridas

For Respondents : Mr.V.Subbiah,
Spl. Govt. Pleader - for R1
Mr.N.Balasubramaian - for R3

ORDER

Learned counsel appearing for the petitioner submitted that the relief sought for in this writ petition has become infructuous in view of the order passed by the first respondent dated 8.7.2014.

2. In view of the representation made by the learned counsel for the petitioner, writ petition stands dismissed as infructuous and the petitioner is at liberty to challenge the order dated 8.7.2014 in accordance with law. No costs. Consequently, connected miscellaneous petition is closed. However, there shall be no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Rj

To

1. The Secretary
Labour and Employment Department,
Fort St. George,
Chennai - 600 009.

2. Labour Office II,
Vellore.

1 cc to Mr. N.Balasubramaian, Advocate, SR.No.16564

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