

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.8.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.24531 of 2015 and  
M.P.No.1 of 2015

A.Kumar General Secretary  
M/s. Greeta Musical Instruments  
Manufacturing and Exports Pvt. Ltd.  
Employees Union No.1/250 Pillayar Koil St  
Thuraipakkam Chennai - 600 097 ...Petitioner

-Vs-

- 1 The Secretary to the Govt  
Labour and Employment Exchange Secretariat  
St. George Fort, Chennai - 600 005
- 2 The Labour Commissioner  
D.M.S. Complex, Teynampet, Chennai - 600 006
- 3 The Presiding Officer  
Principal Labour Court, Chennai
- 4 The General Secretary Greeta  
Musical Instruments Manufacturing and  
Exports Pvt Ltd Tamil Nadu Industrial  
Workers Union No-1/250, Pillayar Koil St,  
Thuraipakkam, Chennai -97.
- 5 M/s.Greeta Musical Instruments  
manufacturing and Exports Pvt Ltd, No.96,  
Functional Estate, Perungudi,  
Chennai - 600 020.
- 6 M/s. Ramaneeyam Builders  
No.11 Second Main Road Gandhi Nagar Adyar  
Chennai - 600 020.
- 7 M/S. Enrique Keller India  
Private Limited Plot No. 81 82 SIPCOT  
Industrial Estate Gummidipondi - 600 103. ...Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st and 2nd respondents to dispose at the petitioner representation dt.02.06.2015.

For Petitioner : Mr.P.Solomon

For Respondent : Mr.V.Vijaya Kumar  
1 & 2 Additional Government Pleader

#### O R D E R

By consent, this Writ Petition is taken up for final disposal.

2. The petitioner, who claims to be the General Secretary of M/s. Greeta Musical Instruments Manufacturing and Exports Pvt. Ltd., Thuraipakkam, Chennai-97 would state that 21 employees have filed a Labour Dispute Case in the I.D.No.113 of 2008 which is pending adjudication on the file of the Principal Labour Court, Chennai. Based on the reference made by the Government u/s.2 K of the Industrial Dispute Act, 1947 in G.O.Ms.(D) 134/2008 dated 09.07.2007, the petitioner would further state that the members of the original union, had lost confidence and they formed a separate union and therefore, they decided to implead the said union as second petitioner in I.D.No.113 of 2008. The claim of the petitioner is that the original union which raised industrial dispute, is not in existence. Therefore, they are entitled to espouse a cause. In this regard, they submitted a representation dated 02.06.2015, 08.06.2015, 25.06.2015. 06.7.2015 and 10.7.2015 to respondents 1 and 2. Since they have not been favoured with any kind of response, came forward to file this writ petition.

3. Heard the submissions of the learned counsel appearing for the petitioner and Mr.R.VijayaKumar, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

4. This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into the merits of the case, directs the first respondent to consider and dispose of the petitioner's representation dated 10.7.2015 after putting on notice, the persons concerned and pass orders in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken, to the persons concerned.

5. This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Asst.Registrar

/true copy/

Sub Asst. Registrar

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To

- 1 The Secretary to the Govt  
Labour and Employment Exchange Secretariat  
St. George Fort, Chennai - 600 005
  - 2 The Labour Commissioner  
D.M.S. Complex, Teynampet, Chennai - 600 006
  - 3 The Presiding Officer  
Principal Labour Court, Chennai
- +1 cc to Mr.P.Solomon, Advocate, sr.41696  
+1 cc to The Government Pleader, sr.41608

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W.P.No.24531 of 2015

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