

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2015

CORAM

THE Hon'ble Mr.JUSTICE M. DURAISWAMY

W.P.No.3222 of 2015

Workmen of Best Cast IT Ltd,
through United Labour Federation
Regn No.2657/CNI
represented by its Secretary
No.149, IV Floor,
C.J. Complex, Thambuchetty Street,
Chennai-600 001 Petitioner

vs

The Government of Tamil Nadu
rep by its Secretary,
Department of Labour and Employment
Fort St. George Town,
Chennai-6. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus directing the respondent Government to pass orders with regard to the reference of the Industrial Dispute covered by the Conciliation Failure Report bearing Ref.No.Na.Ka.No.A/632/2013 dated 26.11.2014 under Section 10 (1) of the Industrial Disputes Act expeditiously.

For petitioner : Mr.M. Karthikeyan
For respondent : Mr.V. Subbiah,
Spl.Govt. Pleader

ORDER

The petitioner has filed the above writ petition seeking to issue a Writ of Writ of Mandamus directing the respondent Government to pass orders with regard to the reference of the Industrial Dispute covered by the Conciliation Failure Report bearing Ref.No.Na.Ka.No.A/632/2013 dated 26.11.2014 under Section 10(1) of the Industrial Disputes Act expeditiously.

2. Mr.V. Subbiah, learned Special Government Pleader takes notice for the respondent.

3. By consent of both sides, the main writ petition is taken up for final hearing at the admission stage itself.

4. The petitionier has stated that the petitioner Union raised an Industrial Dispute on 17.10.2013 before the Assistant Commissioner of Labour, Conciliation and the Conciliation Proceedings did not bring out any amicable settlement between the parties. Therefore, the Conciliation Officer issued a Failure Report on 26.11.2014 and forwarded the same to the respondent Government for passing appropriate order, however, the respondent has not passed any appropriate order.

5. In these circumstances, the petitioner Union has filed the above writ petition to direct the respondent to refer the Industrial Dispute covered by the Conciliation Failure Report dated 26.11.2014 for adjudication under Sec.10(1) of the Industrial Disputes Act.

6. The learned Special Government Pleader, appearing for the respondent, submitted that the respondent may be directed to refer the Industrial Dispute within a stipulated time.

7. Having regard to the submissions made by the learned counsel on either side and taking into consideration the limited prayer sought for in the writ petition, without expressing any opinion with regard to the merits of the case, I direct the respondent to refer the Industrial Dispute, covered by the Conciliation Failure Report dated 26.11.2014 for adjudication within a period of six weeks from the date of receipt of a copy of this order.

8. With the above observation, the writ petition is allowed. No costs.

सत्यमेव जयते

Sd/

Asst.Registrar

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Sub Asst.Registrar

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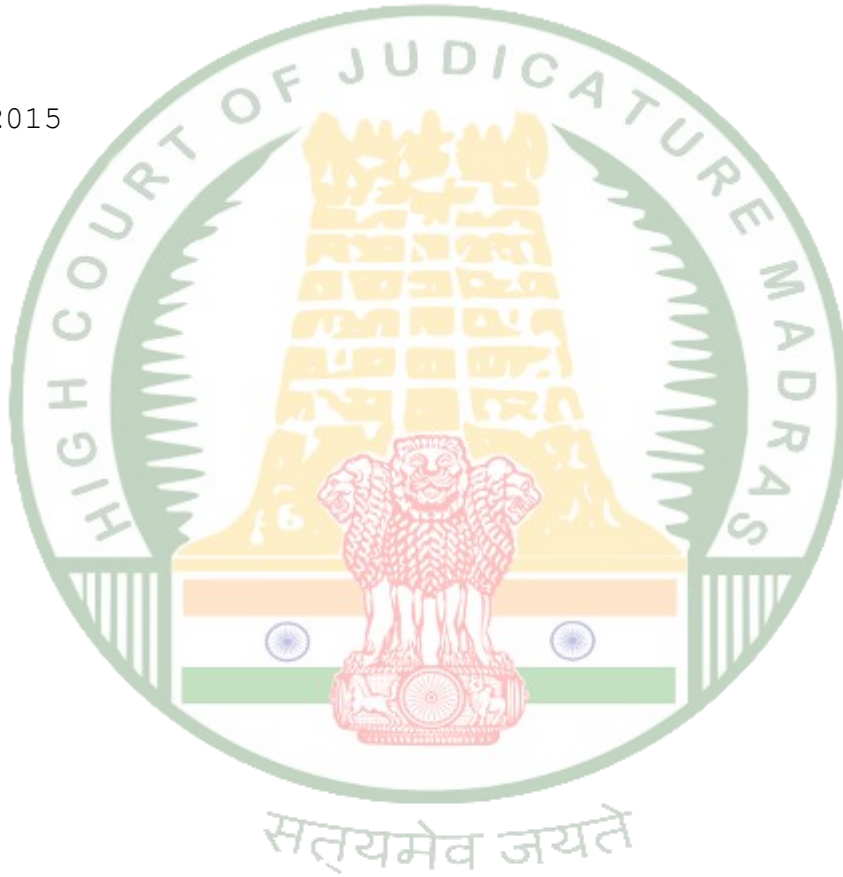
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To
The Secretary,
The Government of Tamil Nadu
Department of Labour and Employment
Fort St. George Town,
Chennai-6.

+1 CC to Mr. Government Pleader, SR.No.7304.
+1 CC Mr. K.Sudalai Kannu, Advocate, SR.No.7174.

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RSY (CO)
VS 26.02.2015



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