

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2015

CORAM

THE HONOURABLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.378 of 2015

Tamilnadu Aarsu Pokkuvarathu Kazhaha

Thozhil Nutpa Paniyalargal Sanga Peravai,
Regn No.1376/TRI (Non Political),
Rep. By its President Mr.E.Kumaravel,
Having Chennai Regional Office at
No.11/48, 11th Street, Anjugam Nagar
Kolathur, Chennai - 600 099

.. Petitioner

vs.

1 The Secretary to Government,
Transport Department,
Secretariat,
Chennai District - 600 009

2 The Deputy Commissioner of Labour,
D.M.S.Building,
Teynampet,
Chennai District - 600 018.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus, directing the 1st and 2nd respondents to consider and dispose the representation dated 08.11.2014 of petitioner's trade union namely Tamilnadu Aarasu Pokkuvarathu Kazhaha Thozhil Nutpa Paniyalargal Sanga Peravai to invite and permit the petitioner's trade union to participate in the proposed settlement meetings and also in all the future settlement meetings in between management and Trade Unions.

For Petitioner
For Respondents

: Mr.R.Y.George Williams
: Mr.V.Subbiah
Special Government Pleader

ORDER

The above writ petition has been filed by the petitioner union to issue a writ of mandamus, directing the respondents 1 and 2 to consider and dispose of their representation dated 08.11.2014

to invite and permit their trade union to participate in the proposed settlement meetings and also in all the future settlement meetings in between management and Trade Unions.

2. According to the petitioner union, the Government and the Management of the State Transport Corporations refused to give them their right to put forth their grievances, their demands and their constructive suggestions. Since they were not allowed to participate in the proposed settlement meeting, the petitioner union gave representation dated 08.11.2014 to the respondents. Though the representation was given on 8.11.2014, the respondents have not considered the same till this date.

3. Mr.R.Y.George Williams, learned counsel appearing for the petitioner submitted that on 7.1.2015, the second respondent had invited the petitioner union for settlement talks and that on 11.1.2015 the petitioner union submitted their demands before the second respondent. The learned counsel further submitted that the petitioner union is apprehending that whether the second respondent would take into consideration the demands made by the Union at the time of arriving at the settlement and that an opportunity will be given to the petitioner to put forth their grievances before the second respondent.

4. Mr.V.Subbiah, learned Special Government Pleader takes notice for the respondents and submitted that the second respondent may be directed to consider and pass orders on the representation dated 08.11.2014 given by the petitioner, within a stipulated time.

5. Having regard to the submissions made by the learned counsel on either side and also 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 second respondent to consider the petitioner's representation dated 08.11.2014, on merits and in accordance with law, on or before 02.03.2015.

With this observation, the writ petition is disposed of. However, there shall be no order as to costs.

Rj

-s/d-

Assistant Registrar(CS-III)

Dt:27/2/2015

True Copy

Sub-Assistant Registrar

To

- 1 The Secretary to Government,
Transport Department,
Secretariat,
Chennai District - 600 009
- 2 The Deputy Commissioner of Labour,
D.M.S.Building,
Teynampet,
Chennai District - 600 018.

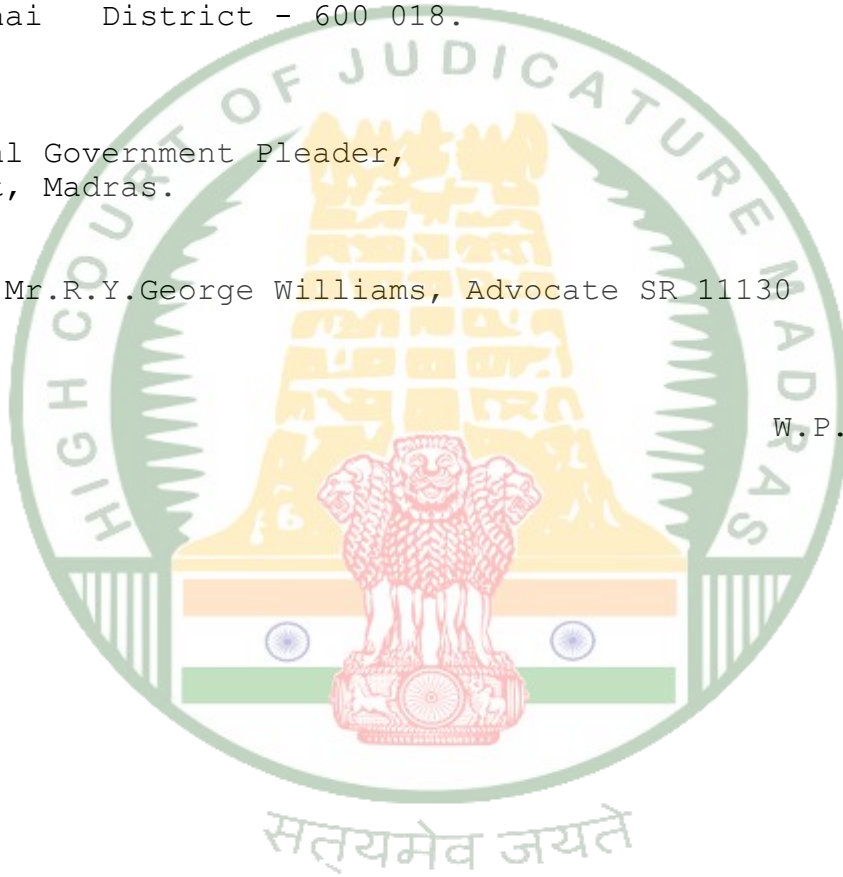
copy to:

The Special Government Pleader,
High Court, Madras.

+ 1 cc to Mr.R.Y.George Williams, Advocate SR 11130

ug(co)
prk27/2

W.P.No.378 of 2015



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