

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.30965 of 2006

The Secretary
Petroleum General Employees Union
representing

1. N.Lakshmanan
2. S.Arjunan
3. R.Sekhar
4. S.Vaithayanathan
5. R.Nagarajan
6. S.Emmanuel
7. S.Jayaraman

.. Petitioners

-vs-

1. The Asset Manager
Oil & Natural Gas Corporation Ltd.,
Cauvery Asset, Neravy
Karaikal
2. The Director
Fire & Rescue Services
Tamil Nadu Government
Rukmani Lakshmipathy Salai
Egmore, Chennai 600 008
3. The Regional Labour Commissioner (Central)
Shastri Bhavan
Chennai 600 006

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, forbearing the first respondent herein from taking deputationist from the Tamil Nadu Fire Services for the post of Drivers and Operators in the Fire Services of the first respondent organisation instead of the petitioners.

For Petitioners	::	No appearance
For Respondents	::	Mr.K.Shunmugakani for R1
		Mrs.M.E.Rani Selvam
		Additional Government Pleader
		for R2
		No appearance for R3

ORDER

This writ petition has been filed by the Secretary of Petroleum General Employees Union seeking a writ of mandamus, forbearing the first respondent from taking deputationists from the Tamil Nadu Fire Services for the posts of Drivers and Operators in the Fire Services department of the first respondent organisation, instead of the petitioners.

2. When the matter was taken up, the learned counsel for the first respondent submitted that the prayer made by the petitioner-Union is not maintainable, for the simple reason that when the petitioner-Union raised an industrial dispute before the Assistant Commissioner of Labour (Central) seeking regularisation, the Government of India refused to refer the dispute of absorption of drivers for the reason that on an earlier occasion a similar dispute was referred for adjudication and an award was passed ultimately in I.D.No.19 of 2000 on 30.5.2001 by the Central Government Industrial Tribunal, Chennai, which was also notified by the Government on 26.6.2001. That was not even challenged by the petitioner-Union.

3. Be that as it may, since no one appeared for the petitioner, this writ petition is dismissed for non prosecution. No costs.

Sd/-
Assistant Registrar
Dated:20.2.15

True Copy

Sub Assistant Registrar

To

1. The Asset Manager
Oil & Natural Gas Corporation Ltd.,
Cauvery Asset, Neravy
Karaikal
2. The Director
Tamil Nadu Fire & Rescue Services
Rukmani Lakshmipathy Salai
Egmore
Chennai 600 008

3. The Regional Labour Commissioner (Central)
Shastri Bhavan
Chennai 600 006

+1 cc to Government Pleader, SR.6367

+1 cc to Mr.K.Shanmugakani, Advocate, SR.6133.

rsy(co)
krd 3/3

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