

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.3.2015

CORAM

THE HONOURABLE THIRU JUSTICE M. DURAISWAMY

W.P.No.23110 of 2013
and M.P.No.1 of 2013

Minvariya Anaithu Paniyalar Poriyalar Sangam,
Regd Trade Union, rep by its General Secretary,
32/16, 2nd Cross Street,
CIT Nagar, T. Nagar,
Chennai-600 035

.... Petitioner

vs

The Tamil Nadu Generation and Distribution Corp Ltd.,
(TANGEDCO) formerly TNEB
rep by its Chairman & Managing Director,
No.144, Anna Salai,
Chennai-600 002

..... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus directing the respondent to permit the petitioner to participate in all subsequent talks, consultations and negotiations conducted by the respondent.

For petitioner : Mr.V. Raghavachari
For respondent : Mrs.R. Varalakshmi

ORDER

By consent of both sides, the writ petition is taken up for final hearing.

2. The petitioner has filed the above writ petition to issue a Writ of Mandamus directing the respondent to permit the petitioner to participate in all subsequent talks, consultations and negotiations conducted by the respondent.

3. It is the case of the petitioner that the petitioner is a Registered Trade Union, affiliated to AIUTUC. Further, according to the petitioner Union, the respondent has been calling various Trade Unions, like that of the petitioner Union, for negotiations with regard to the matters between the Management and the employees, however, inspite of repeated requests made by the petitioner Union, the Union was not called for the negotiations.

4. In these circumstances, the petitioner Union gave a representation on 12.8.2013, requesting the respondent to include the petitioner in all further talks and according to the petitioner, the respondent has not considered the representation of the petitioner till this date. Further, the learned counsel for the petitioner submitted that the respondent has called for the Unions for discussions today i.e., 25.03.2015 at 3.00 p.m.

5. However, according to Mrs.R. Varalakshmi, learned counsel appearing for the respondent, discussions have not been concluded today. Further, the learned counsel for the respondent submitted that in the event of the petitioner Union, giving a representation or suggestions before the respondent, the respondent will consider the same.

6. The learned counsel appearing for the petitioner also submitted that the petitioner Union would give suggesions in writing tomorrow morning i.e., 26.03.2015.

7. Having regard to the submissons made by the learned counsel on either side, the petitioner shall give suggestions in writing before the respondent by tomorrow i.e., 26.03.2015 and the respondent is directed to consider the representation, to be given by the petitioner Union, and take the final decision, taking into consideration the suggestions given by the petitioner Union.

8. With the above observation, the writ petition is disposed of. No costs. Consequently, connected MP is closed.

sr

-s/d-

Assistant Registrar(CO)

Dt:25/3/2015

True Copy

Sub-Assistant Registrar

To

The Chairman and Managing Director,
The Tamil Nadu Generation and Distribution Corp Ltd.,
(TANGEDCO) formerly TNEB
No.144, Anna Salai,
Chennai-600 002

+ 1 cc to Mr.V.Raghavachari, Advocate SR 16907

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