

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2016

CORAM

THE HON'BLE Mr. JUSTICE SATISH K.AGNIHOTRI

and

THE HON'BLE Mr. JUSTICE V.BHARATHIDASAN

W.A.No.825 of 2015 in M.P.No.2 of 2015

and
M.P.No.1 of 2015

The Management,
CRP India Limited,
No.B-85, SIPCOT Industrial Estate,
Gummidipoondi - 601 201. ... Appellant/4th Respondent

Vs.

- 1.The Government of Tamil Nadu
rep. by its Secretary,
Labour and Employment Department,
Fort St. George, Chennai - 9.
- 2.The Assistant Commissioner of
Labour, Conciliation II,
Kuralagam, Chennai - 108.
- 3.The Inspector of Police,
SIPCOT Police Station,
Gummidipoondi - 601 201. ... Respondents/Respondents 1 & 3
- 4.CRP Thozhilalar Sangam
rep. by its Secretary ... Respondents/Petitioner

Appeal filed under Clause 15 of Letters Patent against the order dated 26.03.2015 passed in M.P.No.2 of 2015 in W.P.No.7591 of 2015:Writ Petition filed under Art 226 of Constitution of India seeking Writ of Mandamus to forbear the 4th respondent from altering the service conditions of the members of the Trade Union whose names and details is enclosed in the annexure to this petition including discontinuance / transfer of their services or removing the materials machinery or closing the factory or engaging the workers whom are not in the regular role or any act which will result in non-employment without getting prior permission from the 2nd respondent under Section 33 of the Industrial Disputes Act 1947 in the

industrial dispute in proceedings No.887/2014 raised by the Petitioner Union dated 05.11.2014 regarding the charter of demands and further direct the 2nd respondent to conciliate & effect settlement under Section 12(3) and if no settlement is forth coming to submit failure report under Section 12(4) of the Industrial Disputes Act,1947 and in turn direct the 1st Respondent to refer the dispute for adjudication before the competent adjudicator.

M.P.No.2 of 2015 in W.P.7591 of 2015

Petition filed under Article 226 of Constitution of India praying to grant interim injunction restraining the fourth respondent from discontinuing the services of the members of the Petitioner Union, whose names are enclosed in the annexure to this petition, including transfer of their services or removing machinery, raw material or doing any act, which will render closing of the Gummidipoondi Unit, without getting prior permission in terms of Section 33 of the Industrial Disputes Act 1947, from the second respondent in the industrial raised by the disposal of the W.P.No.7591 of 2015.

For Appellant ... Mr.V.K.Yunus Mohammed
for M/s.Gupta and Ravi

For Respondents... Mr.P.S.Sivashanmugha Sundaram,
Spl. Govt. Pleader for R1 to R3

JUDGMENT

(Judgment of the Court was delivered by SATISH K.AGNIHOTRI, J.)

The learned counsel for the appellant has made an endorsement to the following effect:

"Issues involved in Writ Appeal settled. Permitted to withdraw this Writ Appeal."

2.In view of the endorsement so made by the learned counsel for the appellant, the writ appeal is dismissed as withdrawn. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

1.The Secretary to Government,
Labour and Employment Department,
Fort St. George, Chennai - 9.

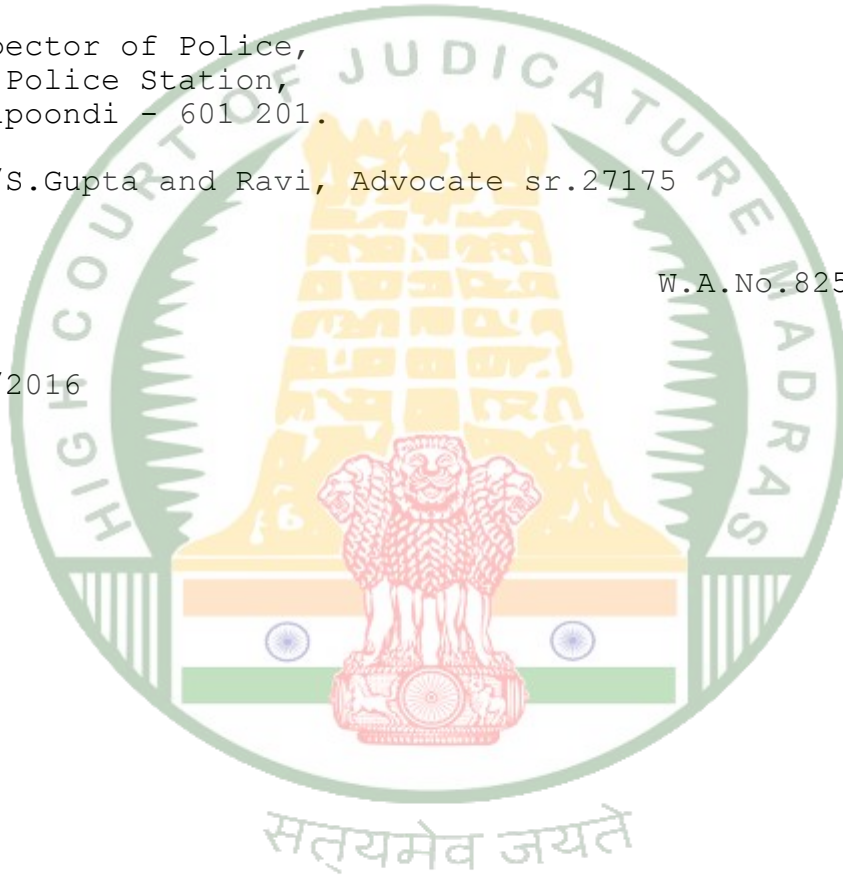
2.The Assistant Commissioner of
Labour, Conciliation II,
Kuralagam, Chennai - 108.

3.The Inspector of Police,
SIPCOT Police Station,
Gummidipoondi - 601 201.

+1cc to M/S.Gupta and Ravi, Advocate sr.27175

W.A.No.825 of 2015

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srg 13/05/2016



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