

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.07.2016

CORAM

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

W.P. No.28866 of 2015
& M.P.No.1 of 2015

SRF & SRF (Polymer) Employees Union
Rep.by its General Secretary,
Reg.No.821/MDS
No.11, Bharathiyar Street,
Vimalapuram, Manali, Chennai. .. Petitioner

Vs.

- 1.Government of Tamil Nadu,
Represented by its Secretary,
Labour and Employment Department,
Fort St.George,
Chennai - 600 009.
- 2.The Assistant Commissioner of Labour
[Conciliation] - 2, Kuralagam,
Chennai - 600 108.
- 3.The Management,
SRF Limited,
Manali Industrial Estate,
Chennai - 600 068. .. Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the third respondent from altering the service conditions of the members of the Trade Union whose names and details are enclosed in the annexure to this petition including discontinuance of their services or engaging contract labours / casual workers in their place or any act which will result in non-employment, without getting prior permission from the second respondent under Section 33(1) of the Industrial Disputes Act, 1947, in the industrial dispute viz., No.528/15 raised by the petitioner union questioning the unilateral 'Disciplinary Policy/Procedure on Absenteeism' of the third respondent which was not certified by the appropriate authority and also not approved by way of settlement under the provisions of the I.D. Act and further direct the second respondent to conciliate and 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 first respondent to refer the dispute for adjudication before the competent adjudicator.

For Petitioner : No Appearance

For Respondent Nos.1 & 2: Mr.V.Jayaprakash Narayanan
Special Government Pleader

O R D E R

This Writ Petition is posted today under the caption "for dismissal". There is no representation for the last hearing, namely, 10.06.2016 and hence, it is posted today for dismissal. Even today there is no representation for the petitioner when the matter was called. Hence, this petition is dismissed for non-prosecution. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary to Government of Tamil Nadu,
Labour and Employment Department,
Fort St.George,
Chennai - 600 009.

2.The Assistant Commissioner of Labour
[Conciliation] - 2, Kuralagam,
Chennai - 600 108.

+ 1 cc to Government Pleader SR.37447

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KS(CO)
EU 18.7.16