

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2016

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNA KUMAR

W.P.No.7372 of 2011

Arkema Employees' Union

Regd No.459/SAT,

35-B, Perumal Koil Street Devanampattinam,

Cuddalore - 607 001,

by its Secretary K.Sankar.

... Petitioner

Vs.

1.The Commissioner of Labour,
Teynampet, Chennai.

2.The Labour Officer/
Conciliation Officer,
Cuddalore.

3.Arkema Peroxides India (P) Ltd.,
Semmankuppam,
Cuddalore - 607005,
by its Assistant Vice President - Works,

4.Arkema Peroxides India (P) Ltd.,
Semmankuppam,
Cuddalore - 607 005,

by its Chief Operation Manager.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 and 2 to dispose of the representations of the petitioner dated 3.12.2009 and 25.3.2010.

For Petitioner : Mr.Alex Raj
for M/s.R.Gururaj
For Respondents 1 & 2 : Mr.S.Navaneetham,
Additional Government Pleader

For Respondents 3 & 4 : Mrs.G.Dhanamadhri
for M/s.T.S.Gopalan & Co

O R D E R

This Writ Petition has been filed by the Arkema Employees' Union seeking for a direction to the respondents 1 to 2 to consider the representations of the petitioner Union dated 3.12.2009 and 25.3.2010.

2. The grievance of the petitioner union is that though the representations were dated 3.12.2009 and 25.3.2010, they have not been considered so far by the respondents 1 and 2.

3. The learned counsel for the respondents 3 and 4 submitted that the retirement age of the employees has been revised from 57 to 58 years with effect from 1.4.2012 and therefore, the Writ Petition has become infructuous.

4. However, the learned counsel for the petitioner submitted that there are other grievances as mentioned in the aforesaid representations and therefore, the respondents 1 and 2 have to pass appropriate orders on the representations.

5. The learned Additional Government Pleader appearing for the respondents 1 and 2 has fairly submitted that the respondents 1 and 2 would consider the representation in accordance with law.

6. In view of the limited scope of the prayer, without going into the merits of the matter, the respondents 1 and 2 are directed to consider the representations of the petitioner dated 3.12.2009 and 25.3.2010 on merits and in accordance with law, within a period of four months from the date of receipt of a copy of this order.

7. The petitioner is directed to submit a copy of this order along with a copy of the aforesaid representations to the respondents 1 and 2 within a period of 2 weeks from the date of receipt of a copy of this order.

8. With the above direction, the Writ Petition is disposed of. No costs.Connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Copy to:

1.The Commissioner of Labour,
Teynampet, Chennai.

2.The Labour Officer/
Conciliation Officer,
Cuddalore.

+1cc to Mr.T.S.GOPALAN, Advocate, S.R.No.72208/16

+1cc to Mr.GURURAJ, Advocate, S.R.No.72373/16

+1cc to the Government Pleader, S.R.No.72638/16

KGK(CO)
GN(10/01/2017)

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