

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2016

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

WP.No.17011 of 2012

Ranipet Labour Union,

Reg.No.1677,

Rep.by its General Secretary,

No.17,Mahatma Gandhi Road,

Ranipet-632401.

... Petitioner

-Vs-

1.The Government of Tamil Nadu,  
Rep. By the Secretary,  
Labour and Employment Department,  
St.George Fort,  
Chennai.

2.The Labour Officer,  
Government of Tamilnadu,  
No.10, Thiyagaraja Puram,  
Vellore-623 001.

3. Roca Bathroom Products Pvt.Ltd,  
Ranipet,Vellore-632401.  
Rep.by its Senior General Manager-operations  
Regd.Office at KGN Towers,  
4<sup>th</sup> Floor, A-Wing,  
62, Ethiraj Salai, Egmore,  
Chennai-600 105.

.. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2<sup>nd</sup> respondent to forward the Conciliation failure report with reference to the Industrial Dispute under file No.Na.Ka.No.4/12 on the charter of demands dated 24.09.2010 and additional demands dated 19.03.2012 to the Government of Tamil Nadu namely the 1<sup>st</sup> respondent with the consequential direction to the 1<sup>st</sup> respondent to pass orders with regard to the reference to the I.D. under file No.Na.Ka.No.4/12 under Section 10 of the Industrial Disputes Act expeditiously and within such time as stipulated by this Court.

For Petitioner : Mr.K.Sudalaikannu  
For RR-1 & 2 : Mr.S.Navaneetham, AGP  
For R3 : Mrs.G.Dhanamadhi

ORDER

Heard Mr.K.Sudalaikannu, learned Counsel for the petitioner and Mr.S.Navaneetham, learned Additional Government Pleader appearing for respondents 1 and 2. Mrs.G.Dhanamadhi learned counsel appearing for the third respondent. With the consent of either side, the writ petition is taken up for final disposal.

2.The Writ petition has been filed to issue a Writ of Mandamus, directing the 2<sup>nd</sup> respondent to forward the Conciliation failure report with reference to the Industrial Dispute under file No.Na.Ka.No.4/12 on the charter of demands dated 24.09.2010 and additional demands dated 19.03.2012 to the Government of Tamil Nadu namely the 1<sup>st</sup> respondent with the consequential direction to the 1<sup>st</sup> respondent to pass orders with regard to the reference to the I.D.Under file No.Na.Ka.No.4/12 under Section 10 of the Industrial Disputes Act expeditiously and within such time as stipulated by this Court.

3.When the matter is taken up today, the learned counsel for the petitioner fairly submitted that vide G.O.[D].No.52, Labour and Employment [P2] Department dated 05.02.2013, the 1<sup>st</sup> respondent, after taking into consideration, the Failure Report of the 2<sup>nd</sup> respondent dated 10.07.2012 as well as the recommendations of the Commissioner of Labour, has referred the Demands No.1 to 12, to be resolved by the Industrial Tribunal and insofar as Demands No.13 to 25, has rejected for referring the same to the Industrial Tribunal for the reasons annexed therein.

4.Therefore, in view of the order passed by the Government in the aforesaid G.O., the writ petition is dismissed as infructuous. No costs.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

KP

To

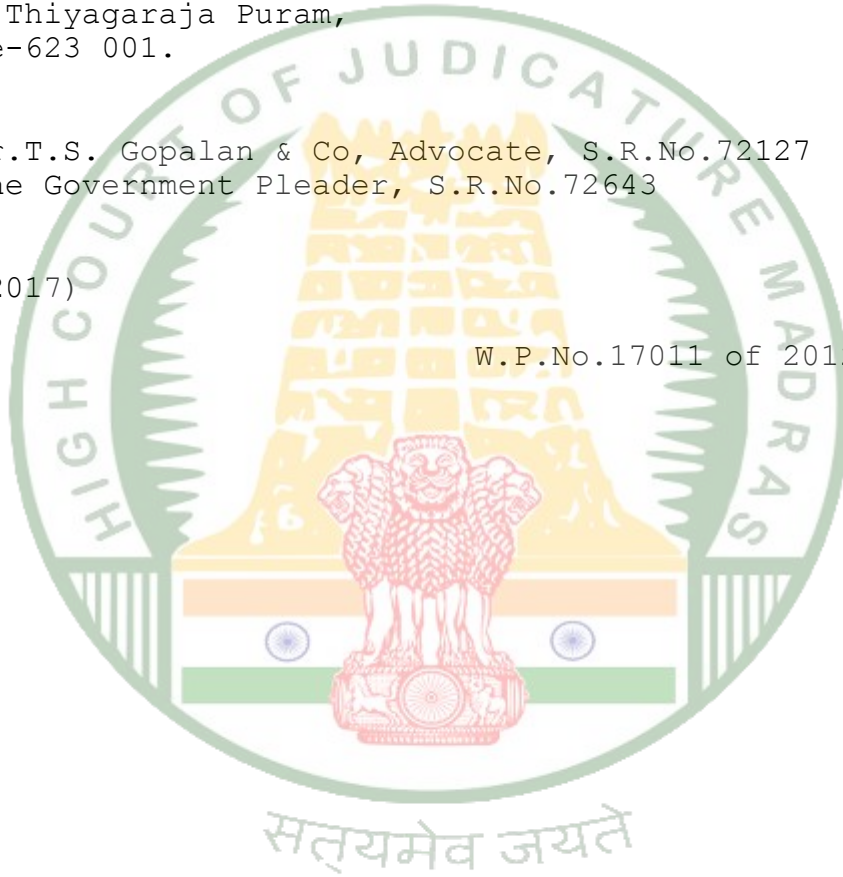
1.The Secretary,  
The Government of Tamil Nadu,  
Labour and Employment Department,  
St.George Fort, Chennai.

2.The Labour Officer,  
Government of Tamilnadu,  
No.10, Thiyagaraja Puram,  
Vellore-623 001.

+lcc to Mr.T.S. Gopalan & Co, Advocate, S.R.No.72127  
+lcc to the Government Pleader, S.R.No.72643

kj(CO)  
md(20/01/2017)

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