

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.12.2017

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.26517 of 2017

MRF Limited
rep. by its General Manager,
P.B.No.5285, Thiruvottiyur High Road,
Chennai-19.

...Petitioner

Versus

1. Industrial Tribunal,
Tamil Nadu,
City Civil Court II Floor,
Chennai-104.

2. MRF Employees Union,
Regn. No.30/69,
through its General Secretary,
No.37, Pattinathar Koil Street,
Thiruvottiyur, Chennai-19.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Industrial Tribunal, Chennai, the 1st respondent herein to pass Award in I.D.No.29 of 2012 within a period of 3 weeks.

For Petitioner : Mr.C.Mohan
for M/s.King and Partridge

For 2nd Respondent : Mr.K.Sudalaikannu

O R D E R

The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the Industrial Tribunal, Chennai, the 1st respondent herein to pass Award in I.D.No.29 of 2012, within a period of 3 weeks.

2. The case of the petitioner is that the petitioner Factory was directed by the Inspector of Police, H8 Thiruvottiyur Police Station to instal CCTV Camera as per the direction of the Government of Tamil Nadu by letter dated 28.0.2010 followed by the remainder dated 04.09.2010. Accordingly, the Management took steps to instal CCTV Camera and prior to the installation process took place, the 2nd respondent Union was also informed. However, it is stated that the 2nd respondent instigated some of the workers to resort to strike opposing the installation of CCTV Camera. As a result of which, a Conciliation Proceeding was initiated and the workmen returned to duty. Thereafter, an illegal strike from 03.10.2010 to 09.10.2010 was also resorted to. Since the Conciliation Proceedings ended in favour, the Government of Tamil Nadu invoking its power under Section 10(1)(c) of the Industrial Disputes Act referred the matter for adjudication to the Industrial Tribunal as per Industrial Disputes Act by G.O.(D) No.466, Labour and Employment (A2) Department dated 18.10.2012 in I.D.No.29 of 2012. When the matter stood thus, the Government of Tamil Nadu vide G.O.Ms.No.113 dated 14.12.2012 passed the Tamil Nadu Urban Local Bodies (Installation of Closed Circuit Television Units in Public Buildings) Rules 2012 which came into force on 14.12.2012. The said Rule made it mandatory to instal CCTV Camera, failing which the factory license will be cancelled.

3. Now the grievance of the petitioner is that since the I.D.No.29 of 2012 on the file of the 1st respondent herein is pending for the past five years, no prejudice would be caused to anyone, if a direction is given to complete the proceedings at the earliest, within a stipulated period fixed by this Court.

4. Mr.K.Sudalaikannan, learned Counsel appearing for the 2nd respondent sought 6 months time to complete the proceedings on the ground that they have moved an application for recalling some witnesses which would take sufficient time.

5. The same has been opposed by the learned Counsel for the petitioner stating that in any event, the matter has to be disposed of within a period of 2 months.

6. Considering the facts and circumstances of the matter and also taking into account the fact that the matter has been pending before the 1st respondent for the past 5 years, in order to give a quietus to the same, the 1st respondent is directed to complete the proceedings in I.D.No.29 of 2012 pending on his file and to dispose of the same, within a period of 3 months from the date of receipt of a copy of this Order by giving top priority to this matter, without asking for further time.

7. The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar (CS IV)

//True copy//

Sub Assistant Registrar

tsi

To

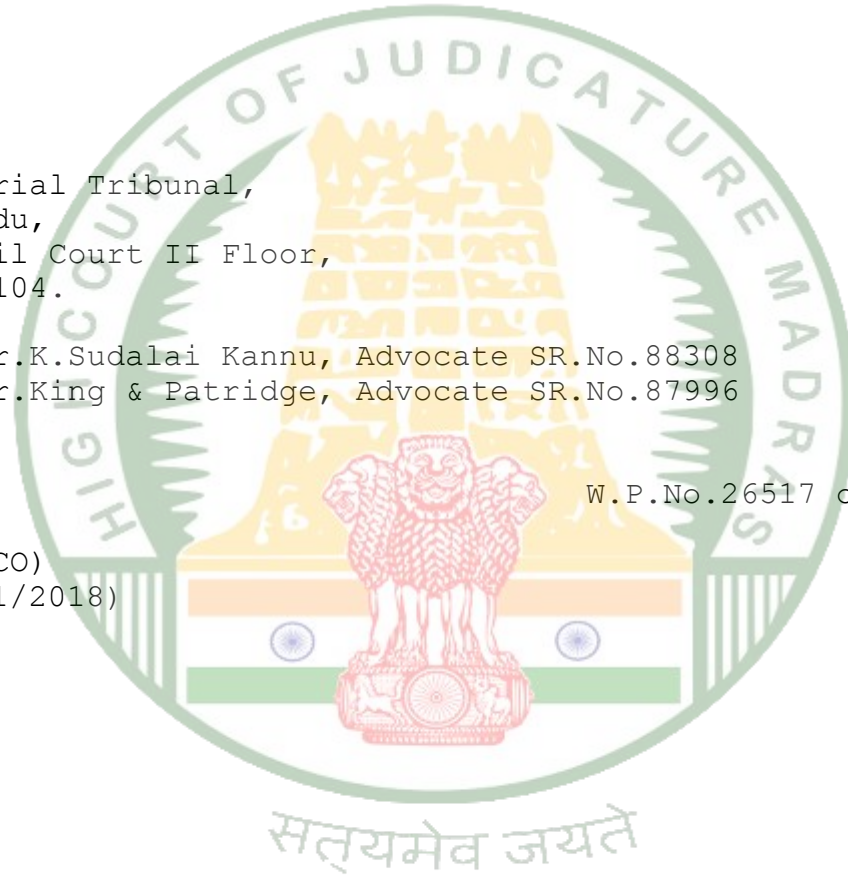
1. Industrial Tribunal,
Tamil Nadu,
City Civil Court II Floor,
Chennai-104.

+1cc to Mr.K.Sudalai Kannu, Advocate SR.No.88308

+1cc to Mr.King & Patridge, Advocate SR.No.87996

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PVS (CO)
GN (17/01/2018)



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