IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2017

Coram

The Honourable Mr. Justice M.M.SUNDRESH

W.P.No.43355 of 2016

Xomox Employees Union rep. by its
President,Pudukottai District. ....Petitioner

Vs

1.The Government of Tamil Nadu
rep. by its Secretary,
Department of Labour and Employment,
Fort St. George, Chennai - 9.

2.The Management of Xomox Sanmar
Limited,
No.89/1, Vadugapatti Village,
Viralimalai - 621 316.
Pudukottai District. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the first respondent Government to pass orders with regard to the reference of the industrial dispute covered by the conciliation failure report bearing Ref.No.Na.Ka.No.Aa/572/2014-1 dated 09.11.2015 under Section 10(1) of the Industrial Disputes Act expeditiously.

For Petitioner : Mr.K.Sudalaikannu

For Respondents : Mr.S.Diwakar,
Spl. Govt. Pleader for R1
M/s.Sai Raj Associates for R2

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ORDER

Seeking a direction to the first respondent to pass orders with respect to the industrial dispute covered by the conciliation failure report dated 09.11.2015, the present writ petition has been filed.

2.Heard both sides.

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3.Though the submissions have been made on merits, this Court is not inclined to go into the same. Admittedly, the conciliation failure report has been sent by the Assistant Commissioner of Labour to the first respondent in and by the proceedings dated 09.11.2015. In such view of the matter, the first respondent will have to pass orders on the same as more than 1 1/2 years have elapsed.

4.Accordingly, a direction is issued to the first respondent to pass orders with respect to the industrial dispute covered by the conciliation failure report dated 09.11.2015 within a period of eight weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

mmi

To

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

+1cc to Mr.K.Sudalai Kanan,Advocate sr.19701

+1cc to Mr.Sairaj Associates,sr.19595

+1cc to Government Pleader sr.20216

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