

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2018

CORAM

THE HON'BLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.7487 of 2014

and

M.P.No.1 of 2014

Bharat Petroleum Corporation Ltd.
Rep.by its Dy General Manager(HRS)South
Door No.1, Ranganathan Gardens
Anna Nagar(West) Chennai - 40 ...Petitioner
Vs

- 1.Union of India,
rep.by its Secretary
Ministry of Labour
Shram Sakthi Bhavan
Rafi Marg, New Delhi - 110 001.
- 2.The Presiding Officer,
Central Government Industrial Tribunal-
cum-Labour Court, Chennai - 600 006
- 3.Petroleum Employees Union
rep.by its General Secretary
C/o.Bharat Petroleum Corporation Ltd.
Door No.1, Ranganathan Gardens
Anna Nagar(West), Chennai - 40
- 4.Petroleum Workers' Union
rep.by its President
C/o.Bharat Petroleum Corporation Ltd.
Door No.1, Ranganathan Gardens
Anna Nagar(West), Chennai - 40
- 5.The Assistant Controller
Department of Publications
Government of India
Civil Lines, Delhi - 110 054.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ or order or direction, particularly in the nature of Writ of Mandamus, directing the 5th respondent not to publish the award of the 2nd respondent dated 07.02.2014 in I.D.No.2/2009.

For Petitioner :Mr.G.Anand
for M/s.T.S.Gopalan and Co.
For Respondents:Mr.A.S.Vijayaragavan, SCGSC for R1 & R5
R2 - Tribunal
M/s.Row & Reddy for R3
R4 - No appearance

O R D E R

The relief sought for in this writ petition is for a direction to direct the 5th respondent, not to publish the Award of the second respondent dated 07.02.2014 passed in I.D.No.2 of 2009.

2.The learned counsel appearing on behalf of the writ petitioner made a submission that even the industrial dispute raised was pending before the 2nd respondent, the matter between the management and the workmen were settled and in this regard, a memorandum of settlement on wages and other matters were signed by the respective parties on 9th January 2014 itself. However, the fact regarding the settlement had not been brought to the knowledge of the 2nd respondent. Thus, an award was passed.

3.Under these circumstances, the present writ petition is filed for a direction not to publish the award by the second respondent. Now, it is agreed that the settlement had been arrived between the parties and no further adjudication needs to be entertained in respect of the merits of the matter. However, the 5th respondent is directed not to publish the award in view of the memorandum of settlement ended between the parties on 9th January 2014.

4.With these directions, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

1.The Secretary
Union of India,
Ministry of Labour
Shram Sakthi Bhavan
Rafi Marg, New Delhi - 110 001.

2.The Presiding Officer,
Central Government Industrial Tribunal-
cum-Labour Court, Chennai - 600 006

3.The General Secretary
Petroleum Employees Union
C/o.Bharat Petroleum Corporation Ltd.
Door No.1, Ranganathan Gardens
Anna Nagar(West), Chennai - 40

4.The President
Petroleum Workers' Union
C/o.Bharat Petroleum Corporation Ltd.
Door No.1, Ranganathan Gardens
Anna Nagar(West), Chennai - 40

5.The Assistant Controller
Department of Publications
Government of India
Civil Lines, Delhi - 110 054.

+1cc to M/s.T.S.Gopalan & Co., Advocate Sr.No.39298

KK(CO)
sm:28.6.2018

W.P.No.7487 of 2014



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