

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2018

C O R A M

THE HONOURABLE Mr.JUSTICE S.M.SUBRAMANIAM

WP.No.11399 of 2017

C.Eraniappan,
Rep.by its General Secretary,
Sengai Anna Maavata Jananayaga Thozhilalar Sangam,
No.3/78, Amman Koil Street,
Vandalur, Chennai-600 048.

...Petitioner

Vs.

1. Government of Tamil Nadu,
Rep. by its Secretary,
Labour and Employment Department,
Fort St.George, Chennai - 600 009

2.The Assistant Commissioner of Labour (Conciliation)-I,
SIPCOT Plan Office Campus,
Irunkattukottai, Sriperumbudur Taluk,
Kanchipuram District.

3.The Management,
Sanmina SCI India Private Limited,
OZ-1, Sipcot HI-Tech SEZ,
Oragadam, Sriperumbudur Taluk,
Kancheepuram District - 602 105.

... Respondents

PRAYER

Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus forbear the 3rd respondent from altering the service conditions of the members of the petitioner Union whose name and details is enclosed in the annexure to this affidavit including discontinuance of their services and transferring or failing to provide employment in any manner without getting permission under Section 33 of the Industrial Dispute Act, 1947, in the Industrial Dispute raised by the petitioner which is pending conciliation before the 2nd respondent as dispute No.No.Na.ka.No.Aa./226/2017 dated 16.03.2017 and further direct the 2nd respondent to conciliate and effect settlement and if no settlement is forthcoming to submit failure report under Section 12(4) of the Industrial Dispute Act and in-turn direct the 1st respondent to refer the dispute for adjudication before the competent Industrial Adjudicator.

For Petitioner : M/s.K.Bharathi
For R1 & R2 : M/s.A.Sri Jayanthi,
Special Government Pleader
For R3 : Mr.Ravi for
M/s.Gupta and Ravi

O R D E R

The learned counsel for the third respondent brought to the notice of this Court that the present writ petition to forbear the third respondent from altering the service conditions of the members of the petitioner Union, was filed during the pendency of the conciliation proceedings before the Labour Officer. However, the said conciliation proceedings was dropped on 08.08.2017.

2. In this view of the matter, no further adjudication is required in respect of the grounds raised in this writ petition.

3. Further, the learned counsel for the petitioner also states that there is no dispute as of now in between the workers and the Management.

4. Accordingly, the writ petition stands closed and there is no order as to costs.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Secretary,
Labour and Employment Department,
Fort St.George, Chennai - 600 009

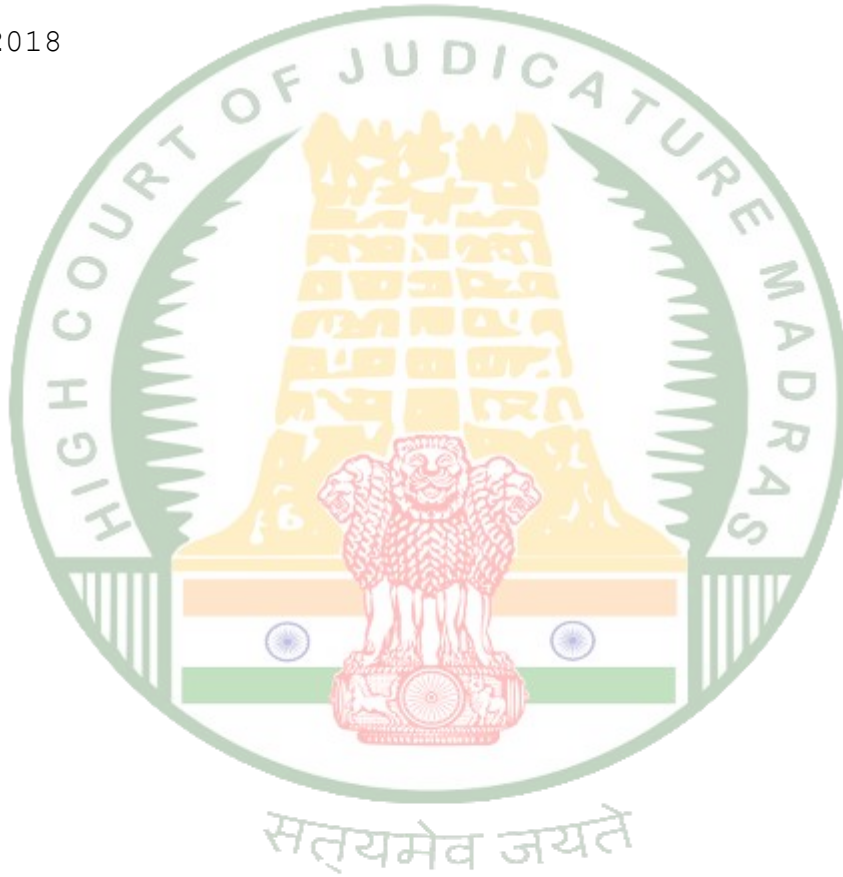
2.The Assistant Commissioner of Labour (Conciliation)-I,
SIPCOT Plan Office Campus,
Irunkattukottai, Sriperumbudur Taluk,
Kanchipuram District.

3.The Management,
Sanmina SCI India Private Limited,
OZ-1, Sipcot HI-Tech SEZ,
Oragadam, Sriperumbudur Taluk,
Kancheepuram District - 602 105

+1cc to M/s.K.Bharathi, Advocate sr.no.28730
+1cc to M/s.Gupta & Ravi, Advocate sr.no.28404
+1cc to Government Pleader in sr.no.28893

W.P.No.11399 of 2017

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