

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2018

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P. No.23900 of 2014

and

M.P.No. 1 of 2014

Port and Dock Labour Union
Reg No.394/MDS
Rep by its General Secretary
V.Ramakrishnan
No.1/675, First Street
Muthamizh Nagar
Chennai - 600 118.

.... Petitioner

Vs.

1.The Union of India
Represented by its Secretary
Ministry of Shipping
No.1, Parliamentary Street
New Delhi 110 001.

2.Chennai Port Trust
Represented by its Chairman
Chennai - 600 001.

3.The Chief Medical Officer
Chennai Port Trust Hospital
Chennai - 600 001.

... Respondents

Prayer Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent 2 and 3 herein to fix time scale of pay to the members of the petitioner Labour union (list of members annexed) in the Writ Petition from the date of their initial appointment with all monetary and attendant benefits as per the notification of Union of India dated 10.12.2003.

For Petitioner : Mr.Samanta and Ston

For Respondents : Mr.J.Madanagopal Rao,
SCGSC [For R1]
Mr.R.Karthikeyan [For R2 & R3]

O R D E R

The relief sought for in this writ petition is for a direction to direct the respondents 2 and 3 herein to fix time scale of pay to the members of the petitioner Labour union (list of members annexed) in the Writ Petition from the date of their initial appointment with all monetary and attendant benefits as per the notification of Union of India dated 10.12.2003.

2.The petitioner is a Port and Dock Labour Union. The petitioner union is a recognized union by the second respondent Port Trust. The petitioner union had participated in the settlement talks with the second respondent management. During the past occasions in respect of fixation of pay the writ petitioner raised certain grievances and in this regard a representation has been submitted by the writ petitioner union by 06.08.2014.

3.Though the relief sought for in this writ petition is a larger one, the learned counsel now appearing on behalf of the writ petitioner has restricted the prayer by stating that it is suffice, if a direction is issued to consider the representation submitted by the writ petitioner union to the respondents.

4.The learned counsel appearing on behalf of the respondent also has no serious objection in respect of considering the representation dated 06.08.2014 submitted by the writ petitioner.

5.In this view of the matter and without going into the merits of the case, the second respondent is directed to consider the representation submitted by the writ petitioner dated 06.08.2014 and pass orders on merits and in accordance with law, within a period of twelve(12) weeks from the date of receipt of a copy of this order.

6. Accordingly, this writ petition stands disposed of. However, there is no order as to costs. Consequently connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar
maya

To

1. The Secretary
Ministry of Shipping
No.1, Parliamentary Street
New Delhi 110 001.
2. Chennai Port Trust
Represented by its Chairman
Chennai - 600 001.
3. The Chief Medical Officer
Chennai Port Trust Hospital
Chennai - 600 001.

+1cc to Mr.J.Madanagopal Rao, Advocate Sr.44778
+1cc to R.Karthikeyan, Advocate Sr.44849
+1cc to Mr.Samanta and Ston, Advocate Sr.44490

सत्यमेव जयते W.P. No.23900 of 2014

Vsn[co]
srg 20/07/2018

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