

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Friday, the Twenty Fourth day of August Two Thousand Eighteen

PRESENT

THE HON`BLE DR.JUSTICE S.VIMALA

WMP.Nos.25496 & 25497 of 2018

in WP.No.21732 of 2018

MADRAS METRO LABOUR UNION [PETITIONER]
CANTONMENT BOARD DAILY WAGERS &
CONTRACT WORKS UNION BRANCH, REP
GENRL. SECRETARY REGN.NO.891/CPT
PLOT NO.400, NO.40, ANNA ST,
THIRUVALLUVAR NGR, OLD
PALLAVARAM, CH-117

Vs

1 GOVERNMENT OF INDIA, REP BY ITS [RESPONDENT]
SECRETARY, MINISTRY OF LABOUR AND
EMPLOYMENT DEPARTMENT, RAFI MARG,
NEW DELHI

2 THE ASSISTANT LABOUR
COMMISSIONER(CENTRAL)O/O.THE DEPUTY
CHIEF LABOUR COMMISSIONER (CENTRAL)
NO.4,HADDOWS RD, SHASTRI BHAVAN,CH-006

3 CANTONMENT BOARD OF REP BY ITS
CHIEF EXECUTIVE OFFICER , MINISTRY OF
DEFENSE GOVERNMENT OF INDIA, ST.THOMAS MOUNT,
CHENNAI 600 016

Petitions praying that in these circumstances stated therein
and in the respective affidavits filed therewith the High Court
will be pleased to

(i)Grant an injunction restraining the 3rd Respondent from
any manner proceedings with E-Tender Notice dated 20.07.2018
bearing E.Procure id:2018_DGDE_363691 _ 1 any further(in
WMP.No.25496/2018)and

(ii)Grant interim injunction restraining the Respondent No.3
from any manner discontinuing the service of the employees or do
any act which will alter the service condition or which will
result in losing employment of the 80 employees whose names are
furnishing in the annexure to the petition (in WMP.No.25497/2018)
pending disposal of the above WP.No.21732/2018 respectively.

ANNEXURE XEROX COPY ATTACHED

Order : These petitions coming on for orders upon perusing the petition and the respective affidavits filed in support thereof and upon hearing the arguments of M/S.BALAN HARIDAS, Advocate for the petitioner in both the petitions the court made the following order:-

The petitioner is a union, who has filed the present writ petition claiming that the workers of the union were recruited by the third respondent for the post of sweeper after a regular selection process, and that demand for regularisation is pending before the conciliation authorities. Pending conciliation, the management seeks to alter the service conditions by issuing an e-tender dated 20.07.2018. The petitioner claim that the service conditions cannot be altered and that they are entitled to protection under Section 33 of the Industrial Disputes Act, on account of pendency of conciliation proceedings.

2. Under the circumstances, interim injunction is granted restraining the third respondent from discontinuing the services of the petitioner employees for a period of three weeks. Notice returnable by three weeks.

-sd/-

24/08/2018

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 GOVERNMENT OF INDIA, REP BY ITS
SECRETARY, MINISTRY OF LABOUR AND EMPLOYMENT
DEPARTMENT, RAFI MARG, NEW DELHI

2 THE ASSISTANT LABOUR
COMMISSIONER (CENTRAL) O/O. THE DEPUTY CHIEF
LABOUR COMMISSIONER (CENTRAL) NO.4, HADDOWS
RD, SHASTRI BHAVAN, CH-006

3 THE CHIEF EXECUTIVE OFFICER,
CANTONMENT BOARD OF MINISTRY OF
DEFENSE GOVERNMENT OF INDIA,
ST.THOMAS MOUNT, CHENNAI 600 016

C.C. to M/S.BALAN HARIDAS Advocate Sr.No.9954.

Order

in

WMP.Nos.25496 & 25497 of 2018

in WP.No.21732 of 2018

Date :24/08/2018

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
KP(24/08/2018) (IT)



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