

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2018

CORAM

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

W.P.No.28958 of 2017

United Labour Federation ,
Regon.No.2657/CNI

Represented by its Secretary,
No.149, Thambu Chetty Street,
CJ Complex, Fourth Floor,
Chennai-600 001.

..Petitioner

.. Vs ..

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

2.The Assistant Commissioner of Labour(Conciliation-1),
Irungaattukottai,
Sriperumbudur-602 106.

3.The Management of Sovern Glocon India
Pvt.Ltd.,

Represented by its Managing Director,
No.F96 & 97, SIPCOT Industrial Park,
Irungattukottai, Sriperumbudur,
Kancheepuram District-602 117.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to directing the 2nd respondent herein to conclude the conciliation proceedings in the industrial dispute raised by the petitioner union dated 10.07.2017 bearing reference no.NA.KA.No.Aa/598/2017 in accordance with Section 12(6) the Industrial Disputes Act, 1947 and further direct the 1st respondent to pass orders under Section 10 of the Industrial Disputes Act for the reference of the industrial dispute, in the event of conciliation proceedings ending in failure, expeditiously within such time as this Hon'ble Court may deem fit.

For Petitioner : Mr.K.Sudalaikannu

For Respondents: Mr.A.Raghu for R 1 & R 2
Government Advocate
No Appearance for R 3

O R D E R

The relief sought for in this writ petition is for a direction to direct the 2nd respondent to conclude the Conciliation Proceedings in the industrial dispute raised by the petitioner union dated 10.07.2017 bearing reference no.NA.KA.No.Aa/598/2017 in accordance with Section 12(6) of the Industrial Disputes Act, 1947.

2.The learned counsel for the petitioner states that the Conciliation proceedings initiated on 08.09.2017 is yet to be concluded. In view of the fact that the matter is pending for a long time, and Section 12(6) of the Industrial Disputes Act, 1947, also stipulates time limit for the conclusion of the Conciliation proceedings.

3.This Court is of an opinion that the Conciliation Officer has to conclude the Conciliation proceedings and submit his report within a reasonable period of time. The said exercise shall be done within twelve weeks from the date of receipt of a copy of this order.

4.Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS VI)

//True copy//

Sub Assistant Registrar

KP

To

1. The Secretary,
The Government of Tamil Nadu,
Department of Labour and Employment,
Fort. St.George, Chennai.
- 2.The Assistant Commissioner of Labour(Conciliation-1),
Irungaattukottai,
Sriperumbudur-602 106.

+1cc to Mr.K.Sudalaikannu, Advocate SR.No.29751

W.P.No.No.28958 of 2017

CP(CO)
GN(28/04/2018)