

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.06.2018

CORAM

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

W.P.No.14061 of 2018

Doosan Employees Union,
Rep.by its General Secretary,
Regn.No.512/TVR,
No.42, Anjaneyar Koil Street,
Poonamallee,
Chennai 600 056

..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) 2,
Kuralagam,
Chennai 600 108

3.The Management,
Doosan Power Systems India Private Limited,
Rep. By its Division Head,
No.18/2A, Seneerkuppam By-pass Road,
Poonamallee, Chennai 600 056

.. Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus, directing the 2nd respondent to conclude the complaint given by the petitioner Union dated 10.11.2017 under Section 25 T of the Industrial Disputes Act, 1947 against the 3rd respondent, which has been taken on file as Na.Ka.No.A/765/17 and submit report to the 1st respondent and in turn the 1st respondent to issue necessary orders to prosecute the 3rd respondent under Section 25 U of the I.D. Act, 1947.

For Petitioner : Mr.Balan Haridas

For Respondents 1 & 2 : M/s.A. Sri Jayanthi,
Special Government Pleader

O R D E R

The relief sought for in this writ petition is for a direction to direct the second respondent to conclude the complaint given by the writ petitioner Union dated 10.11.2017 under Section 25 (T) of the Industrial Disputes Act, 1947.

2. The learned counsel appearing on behalf of the writ petitioner made a submission that the complaint was properly filed by the writ petitioner Union and the same has been taken on file as Na.Ka.No.A/765/2017. However, the second respondent has not adjudicated the complaint and submitted a report. There is an enormous delay on the part of the second respondent in dealing with the complaint submitted by the writ petitioner on 10.11.2017. The issues raised in the complaint are certainly important and early disposal of the complaint is essential.

3. This being the factum of the case, the second respondent is directed to consider the complaint submitted by the writ petitioner on 10.11.2017, adjudicate the same and pass orders by providing opportunity to all the parties concerned within a period of twelve weeks from the date of receipt of a copy of this Order.

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

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

stm/lok
To

- 1.The Secretary,
Government of Tamil Nadu,
Labour and Employment Department,
Fort St. George, Chennai - 600 009.
- 2.The Assistant Commissioner of Labour(Conciliation)2,
Kuralagam, Chennai 600 108

+1cc to Mr.Balan Haridas, Advocate, S.R.No.36521
+1cc to the Government Pleader, S.R.No.37893 & 37012

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RV(CO)
CS/22/06/18