

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.11.2018

CORAM

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

W.P.No.29682 of 2018
and W.M.P.No.34647 of 2018

1 M/s.Mirco Labs Limited Plant II and III,
rep by Mr.C.S.Shekar General Manager (HR and A)
92 SIPCOT Industrial complex,
Hosur Krishnagiri Dist 635126 ... PETITIONER

Vs.

- 1 The State of TamilNadu
Rep by Secretary to Government,
Labour and Employment Department,
Fort St.George, Chennai 600 009
- 2 The Industrial Tribunal,
Chennai 104
- 3 The Commissioner of Labour,
Teynampet DMS Compound, Chennai 600018
- 4 The Assistant commissioner of Labour (Conciliation),
Krishnagiri
- 5 The Inspector of police,
SIPCOT police station Maathigiri circle,
SIPCOT Hosur 635126
- 6 Micro Labs and Brown and Burk Employees union
Rep by its Secretary,
Plot No.60, SIPCOT Housing colony,
SIPCOT Hosur-635126 Krishnagiri District
- 7 M.Nagaraj
President
C/o.Micro Labs and Brown and Burk Employees
Union Plot No.60 SIPCOT Housing colony
SIPCOT Hosur 635126 Krishnagiri District

- 8 P.Srinivasan (Secretary)
C/o.Micro Labs and Brown and Burk Employees
Union Plot No.60 SIPCOT Housing colony
SIPCOT Hosur 635126 Krishnagiri District
- 9 Narendranath,
Vice President
C/o.Micro Labs and Brown and Burk Employees
Union Plot No.60 SIPCOT Housing colony
SIPCOT Hosur 635126 Krishnagiri District
- 10 P.Mathesan,
Joint secretary
C/o.Micro Labs and Brown and Burk Employees Union,
Plot No.60 SIPCOT Housing colony, SIPCOT,
Hosur 635126 Krishnagiri District
- 11 R.Prabhakaran,
Joint Secretary
C/o.Micro Labs and Brown and Burk Employees Union,
Plot No.60 SIPCOT Housing colony,
SIPCOT Hosur 635126 Krishnagiri District.
- ... RESPONDENTS

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the 1st respondent to declare that the strike notice dated 27.10.2018 issued by the 6th respondent union is illegal as it is in violation of section 10 23 and 24 of Industrial Disputes Act 1947 and consequently direct the 4th respondent to provide sufficient police protection to the petitioner Industries at No.92 SIPCOT Industrial complex, Hosur, Krishnagiri District.

For Petitioner : Mr.R.G.Narendhiran

For Respondents 1to5 : Mr.M.Karthikeyan, A.G.P.

For Respondents 6to11: Mr.Balan Haridoss for
Mr.S.Parthasarathy

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With the consent of parties, the writ petition itself has been taken up for final disposal.

2. The writ petition has been filed for issuance of Writ of Mandamus, directing the 1st respondent to declare that the strike notice dated 27.10.2018 issued by the 6th respondent union is illegal as it is violation of section 10 23 and 24 of

Industrial Disputes Act 1947 and consequently direct the 4th respondent to provide sufficient police protection to the petitioner Industries at No.92 SIPCOT Industrial complex, Hosur, Krishnagiri District.

3 Counter affidavit has been filed by the respondents 6 to 11, wherein at para 11, it is stated that, now the entire strike notice is withdrawn by the 6th respondent union and the same is also recorded by the 4th respondent on 15.11.2018 in his proceedings and hence, the presence writ petition is liable to be dismissed.

4 In view of the proceedings of the 4th respondent, dated 15.11.2018 and the statement made in the counter affidavit filed by the respondents 6 to 11, writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

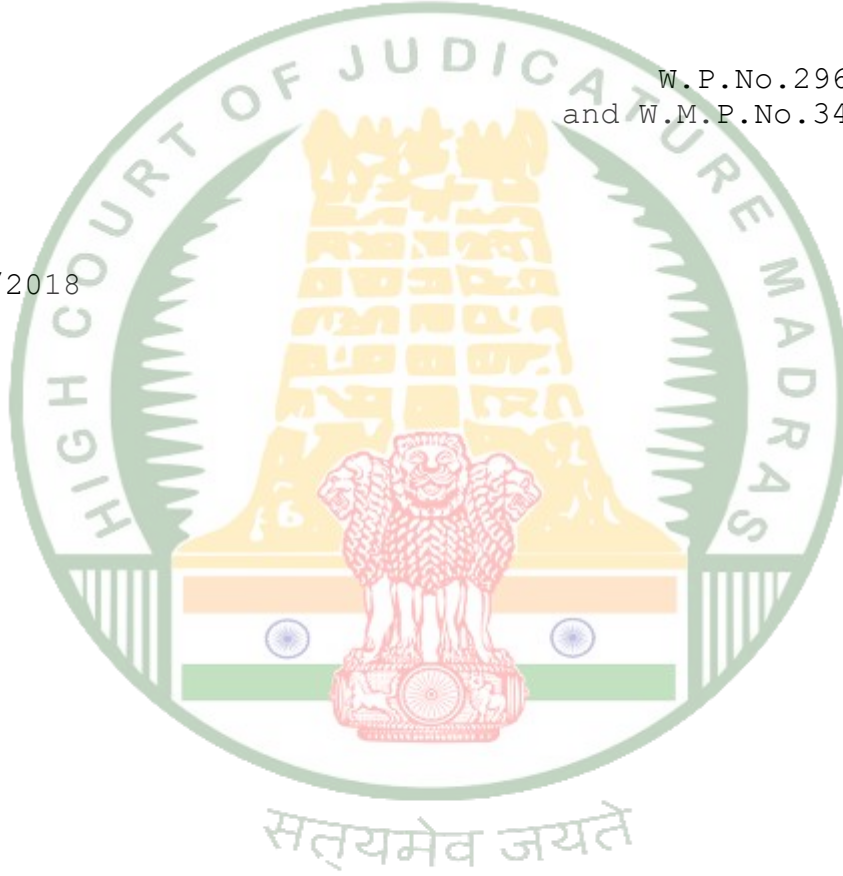
- 1 The Secretary to Government,
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- 2 The Industrial Tribunal,
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- 3 The Commissioner of Labour,
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- 4 The Assistant commissioner of Labour (Conciliation),
Krishnagiri

5 The Inspector of police,
SIPCOT police station Maathigiri circle, SIPCOT
Hosur 635126.

+2cc to M/S.S.parthasarathi, Advocate Sr.80305
+1cc to M/S.R.G.Narendhiran, Advocate Sr.80289
+1cc to the Government Pleader Sr.81428

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srg 19/12/2018



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