



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 19.12.2018

CORAM :

THE HONOURABLE **MR. JUSTICE G.R. SWAMINATHAN**

W.P (MD) No.16425 of 2015

Tirunelveli Mavatta Ambasamuthiram
Madura Coats Mills Thozhilalargal
Koottamaippu Tholir Sangam,
(Reg No.1333/TVL), rep., by its President,
3/308F, Arumugampatti Keelpaguthi,
Sivanthipuram, Vikramasingapuram Post,
Ambasamudram Taluk,
Tirunelveli District.

... Petitioner

/Vs./

1.The Commissioner of Labour,
Teynampet, Chennai.

2.Madura Coats Private Limited,
rep., by its General Manager,
Papanasam Mills Post,
Vikramasingapuram,
Tirunelveli-627 422.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, to direct the first respondent to refer the dispute of non recognition of petitioner's trade union for adjudication before the proper forum for redressal.

For Petitioner : Mr.R.Pon Karthikeyan

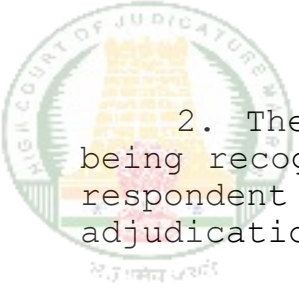
For R1 : Mr.Aayiram K.Selvakumar
Additional Government Pleader

For R2 : Mr.T.Ravichandran

(cause title amended vide order of this Court in W.M.P(MD).No.22713 of 2018)

ORDER

The second respondent is engaged in Textile Manufacturing. In its Papanasam Unit more than 600 workers are employed. There are as many as six recognized Trade Unions.



2. The grievance of the writ petitioner is that they are not being recognized by the Management. Therefore, they want the first respondent to refer this dispute as to non-recognition for adjudication.

3. The first respondent has no statutory power to make any reference and it is only the Government, which can do so. That apart, the issue regarding non-recognition of a trade union cannot be a subject matter of reference because there is no statute governing the said subject matter in Tamil Nadu. Therefore, the writ petition is not maintainable and hence the Writ Petition stands dismissed. No costs.

Sd/- Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

The Commissioner of Labour,
Teynampet, Chennai.

+ 2 CC TO Mr.R.Pon Karthikeyan, Advocate in SR.No.101187
+ 1 CC TO Mr.R.T.Ravichandran, Advocate in SR.No.101227
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.101315

W.P(MD)No. 16425 of 2015
19.12.2018

rmk
ES/14.03.2019 : 2P/6C