



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.02.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)Nos.9090 & 9091 of 2017
and
WMP(MD)Nos.6933 & 6934 of 2017

1.Tamil Nadu General Workers Union
-MTEL Eliyarpatti Toll Plaza
Employees' Branch,
Rep.by its Working President M.Elamaran,
Regn.No.289/CPT/1975 ... Petitioner in WP 9090/17

2.Tamil Nadu General workers union -
MTEL Pudhur Pandiyapuram toll plaza Employees Branch,
Rep.by its Working President Palani Muthu prabhakar,
Regn.No.289/CPT/1975 ...Petitioner in WP 9091/17
Vs.

1.Government of India,
Rep.by its Secretary,
Ministry of Labour and Employment
Department,
Refi Marg, New Delhi.

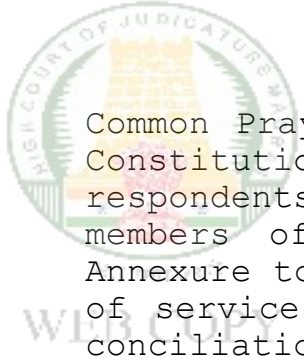
2.The Regional Labour Commissioner (Central),
Lady Doak College, Chinna Chokkikulam,
Madurai.

3.The Project Manager,
National Highway Authority of India
(NH 45B), Plot No.3, Suriya Towers,
II Floor, I street, K.K.Nager, Madurai-625 020.

4.Madurai-Tuticorin Expressways Ltd,
Eliyarpathi Toll Plaza (Madurai Toll Plaza),
Madurai - 625 022. ...1 to 4th Respondents in
both petitions

5.E.Rajamonsingh ...5th respondent in
WP(MD)No.9090 of 2017

5.Rajkumar ...5th respondent in
WP(MD)No.9091 of 2017



Common Prayer: These Writ Petitions are filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, forbearing the respondents No.3 to 5 from altering the service conditions of the members of the petitioner union whose names are given in the Annexure to the writ petition in any manner including discontinuance of service or failing to provide employment in any manner pending conciliation before the second respondent and further direct the second respondent to take up the conciliation proceedings without further delay within the time period stipulated by this Court.

For petitioner
in both cases : Mr.S.Rajasekar

For Respondents
in both cases : Mr.R.Murugappan for R1 & R2
Mr.C.Arul Vadivel Sekar for R3
Mr.C.Sasikumar for R4
Mr.P.Meenakshi Sundaram
for R5

COMMON ORDER

The petitioner is a registered Trade Union. Its members are working in the fourth respondent Toll Plaza. An industrial dispute has been raised and conciliation proceedings are pending. As a result, the fourth respondent is not in a position to take any action. In view of the interim order granted by this Court, the members of the petitioner union are in service. The only impediment for the management to proceed against the said workmen is the pendency of the conciliation proceedings.

2.This Court is not expressing any opinion on the merits of the matter. The second respondent is directed to conclude the conciliation proceedings within a period of six weeks from the date of receipt of a copy of this order. Till such proceedings are concluded, the employees in question who are members of the petitioner union shall not be ousted from service.

3.With this direction, this writ petition stands allowed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

1. The Secretary,
Ministry of Labour and Employment
Department,

<https://hcservices.ecourts.gov.in/hcservices/>
Raj Marg, New Delhi.



2.The Regional Labour Commissioner (Central),
Lady Doak College, Chinna Chokkikulam,
Madurai.

+2cc to Mr.T.LAJAPATHI ROY,Advocate,SR. 47948,47949
+1cc to Mr.R.MURUGAPPAN,Advocate,SR. 48004
+1cc to Mr.C.ARUL VADEVEL @ SEKAR,Advocate,SR. 47969
+1cc to Mr.C.SASIKUMAR,Advocate,SR. 48037
+1cc to M/S.Special Government Pleader,SR. 48310

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SKM
KK/SV MMS/SAR3 /13.02.2018/ 3P- 9C/