

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :22.11.2019

Coram

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No. 25484 of 2012
and M.P.No.1 of 2012

The Management,
M/s. Hydromet (India) Ltd.,
Vedal Village, Rajakulam Post,
Kancheepuram District,
Represented by its Director,
A.S.Sivasundar.

... Petitioner

vs.

1. The Secretary,
Government of Tamil Nadu,
Labour & Employment Department,
Fort St. George, Chennai - 600 009.

2. The General Secretary,
Hydromet Employees Union,
5/2, Mahendran Pallavan Street,
Mangalam Nagar,
Kancheepuram - 631 504.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, to call for the records connected with the order of reference made in G.O.D.No.286 of 27/06/12 by the 1st respondent, Secretary, Government of Tamil Nadu, Labour & Employment Department, Fort St. George, Chennai 600 009 and quash the same.

For Petitioner : Mr.A.Venkatesh Kumar
for M/s.Gupta and Ravi

For Respondents : Mr.J.Ramesh
Additional Govt. Pleader [R1]

Mr.Ram Siddhartha
for M/s. Row & Reddy [R2]

ORDER

The order passed by the first respondent in G.O.(D).No.286 dated 27.06.2012 is under challenge in the present writ petition.

2. The writ petitioner is the Management Hydromet (Inida) Limited. The order impugned is the order of reference passed by the Government to adjudicate the claims set out in the order impugned. The learned counsel appearing on behalf of the writ petitioner made a submission that already the dispute was raised with reference to the claims. Accordingly, a dispute was raised based on the Government order issued in G.O.(D).No.418 -Labour and Employment Department dated 13.07.2009. However, the fact remains that the reference made is already converted as dispute and the dispute is in the process of adjudication.

3. This being the factum, all the pleadings made in the writ petition by the respective parties shall be placed before the authorities concerned for the purpose of adjudicating the issues. One submission is made that their reference is a repetition. Even in such case, the documents or evidences can be produced by the respective parties before the authorities with reference to the claims already adjudicated.

4. However, the fact remains that an Industrial Dispute is raised and therefore, the grounds raised in the present writ petition challenging the order of reference deserves no consideration.

Thus, the writ petition stands dismissed. No costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

The Secretary,
Government of Tamil Nadu,
Labour & Employment Department,
Fort St. George, Chennai - 600 009.

+1cc to M/s.Gupta & Ravi, advocate Sr.97807
+1cc to the Government Pleader Sr.98017

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skv[co]
srg 08/01/2020



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