

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.11.2019

CORAM

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

W.P.NO.2857 OF 2012

Tamilnadu Arasu Pokkuvarathu
Kazhaga Thozhilalar
Munnettra Sangam,
Represented by its General Secretary,
No. 37-A, Mettupalayam Road,
Coimbatore-641 043.

..Petitioner

vs

1. Government of Tamilnadu,
Represented by its Secretary,
Transport Department,
Fort St. George,
Chennai-9.
2. The Secretary,
Labour and Employment
Department,
Fort St.George,
Chennai-9.
3. The Commissioner of Labour,
DMS Compound,
Teynampet, Chennai-6.
4. The Special Deputy Commissioner
of Labour, DMS Compound,
Teynampet, Chennai-6.
5. Tamilnadu State Transport
Corporation (Coimbatore) Ltd.,
Represented by its Managing Director,
37, Mettupalayam Road,
Coimbatore.
6. The General Manager,
Tamilnadu State Transport
Corporation (Coimbatore) Ltd.,
Coimbatore Region,
37, Mettupalayam Road,
Coimbatore.

.. Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue appropriate writs, orders or directions and in particular issue a writ in the nature of mandamus directing the respondents 3 to 4 to initiate criminal action against the officials of the respondents 5 and 6 who are responsible for the non-implementation of para-9 of the settlement dated 22.01.2011 and the respondents 5 and 6 to hold talks and reach a settlement regarding fixation of scales of pay and other benefits for the workmen belonging to the category of checking Inspectors, Traffic Inspectors, Security Staff and the Stores Staff as per para-9 of the settlement dated 22.01.2011 within a specified time with effect from 01.09.2010 with arrears and other consequential benefits and award costs.

For Petitioner : Mr.V.Ajoy Khose

For Respondents : Mr.J.Ramesh,
AGP for R1 to R4
Mr.P.Kannan Kumar for R5 and R6

O R D E R

The learned counsel appearing on behalf of the writ petitioner made a submission that during the pendency of the Writ Petition, the management as well as the union entered into a settlement under Section 12(3) of the Industrial Dispute Act on 4.01.2018. In view of the settlement arrived at between management and the union, no adjudication needs to be entertained with reference to the grounds raised in the present Writ Petition.

2. In view of the above, the respondents are directed to settle the benefits with reference to the terms and conditions stated under 12 (3) of the Industrial Disputes Act within a period of three (3) months from the date of receipt of a copy of this order.

3. The Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

mrn

To

1. The Secretary,
Government of Tamilnadu,
Transport Department,
Fort St. George,
Chennai-9.
2. The Secretary,
Labour and Employment
Department,
Fort St.George,
Chennai-9.
3. The Commissioner of Labour,
DMS Compound,
Teynampet, Chennai-6.
4. The Special Deputy Commissioner
of Labour,
DMS Compound,
Teynampet, Chennai-6.
5. The Managing Director,
Tamilnadu State Transport
Corporation (Coimbatore) Ltd.,
37, Mettupalayam Road,
Coimbatore.
6. The General Manager,
Tamilnadu State Transport
Corporation (Coimbatore) Ltd.,
Coimbatore Region,
37, Mettupalayam Road,
Coimbatore.

+1cc to Mr.V.Ajoy Khose, Advocate, S.R.No.95370

+1cc to Mr.P.Kannan Kumar, Advocate, S.R.No.95732

W.P.No.2857 of 2012

SAI (CO)
CS/19/12/2019

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