

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2019

CORAM

THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAM

W.P.No.9355 of 2012

and

M.P.No.1 of 2012

Henkel Spic India Employees Union,
(known as Kenkel India Employees Union)
Reg. No.823/RTU/93,
Rep., by its President - V.Sivashanmugam,
Registered Officer at Peralam Main Road,
Thirunallar, Karaikal - 609 607,
Puducherry State.

... Petitioner

-vs-

1. The Labour Officer (Enforcement),
Puducherry,
Labour Department Complex,
Vazhudhavur Road, Gandhi Nagar,
Puducherry-605 009.

2. The Chief Inspector of Factory,
Karaikal, Labour Department,
Kamarajar Administrative Building,
Karaikal, Puducherry State.

3. Henkel India Limited,
(Subsidiary of Henkel AG & Co., KGaA, Germany)
Factory at No.131, Peralam Main Road,
Thirunallar, Karaikal, Puducherry State,
Rep., by its Factory Manager.

... Respondents

Petition under Article 226 of the Constitution of India
praying for issuance of Writ of Mandamus, directing the 1st and
2nd respondents to pass necessary orders prohibiting the 3rd
respondent from manufacturing the Henkel products other than the
factory registered and licensed at No.131, Peralam Main Road,

Karaikal, Puducherry State, consequently direct the respondents to initiate prosecution against the Manager and the occupier of the 3rd respondent factory under the Factories Act, on consider the petitioner's complaints dated 16.02.2012 and 01.03.2012.

For Petitioner : Mr.P.R.Thiruneelakandan

For Respondents: RR1 & 2 - Mr.A.V.Ramalingam,
Additional Govt. Pleader (Puducherry)

: R3 - Ms.S.Akila,
For M/s.Sarvabhauman Associates

ORDER

The learned counsel appearing on behalf of the 3rd respondent Management brought to the notice of this Court that during the pendency of this writ petition, the issues between the parties to the lis on hand are settled. In this regard, a 12(3) Settlement under the Industrial Disputes Act, 1947 was entered into between the writ petitioner Management and the 3rd respondent Management on 10.08.2012.

2.This Court is of an opinion that in view of the above settlement, no further adjudication needs to be undertaken with reference to the grounds raised in the present writ petition.

3.Accordingly, the writ petition stands disposed of as infructuous. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar (CCC)

True Copy

Sub-Assistant Registrar

abr

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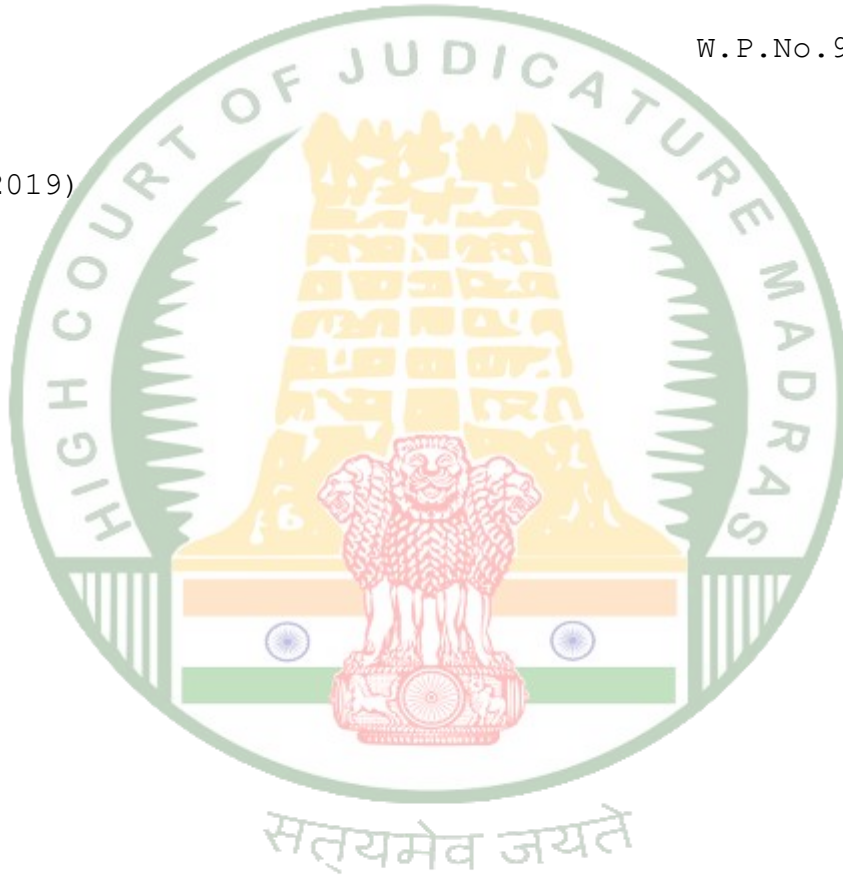
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+1 CC to M/s. Sarvabhman Associates sr 96968
+1 CC to The Govt. pleader sr 97606
+1 CC to The Public Prosecutor sr 97246.

W.P.No.9355 of 2012

KK(CO)
SP(27/12/2019)



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