

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03-09-2019

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.10314 OF 2017

AND

W.M.P.NOS.11215 TO 11217 OF 2017

Puthiya Jananayaga Thozhilalar Munnani  
Integra Automation Workers Branch  
Represented by its Secretary Regn. No.43/TVR,  
No.110/63, N.S.K.Salai,  
Kodambakkam,  
Chennai-600 024.

Petitioner

vs.

1. Government of Tamil Nadu,  
Represented by its Secretary,  
Labour and Employment Department,  
Fort St. George,  
Chennai-600 009.
2. The Assistant Commissioner of Labour (Conciliation-I),  
SIPCOT Complex,  
Irrunkattukkottai,  
Sriperumputhur-602 117.
3. The Management  
Integra Automation Pvt Ltd.,  
No.487, Valarpuram Village,  
Perambakkam Road,  
Sriperumputhur-602 105.

.. Respondents

PRAYER :

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, forbearing the third respondent from altering the service conditions of the members of the Trade Union whose names and details is enclosed

in the Annexure by closing the factory or any act which will result in non-employment, without getting prior permission from the appropriate Government under Section 25M and further direct the first and second respondents to pass orders on the representation made by the petitioner Union dated 19.12.2016 and 06.03.2017.

For Petitioner : Mr.A.Suresh Sakthi Murugan

For Respondents-1&2 : Mr.A.Zakir Hussain,  
Government Advocate.

For Respondent-3 : Mr.S.Ravindran, Senior Counsel  
for Mr.P.Nehru.

#### O R D E R

The relief sought for in the present writ petition is to forbear the third respondent from altering the service conditions of the members of the Trade Union whose names and details are enclosed in the Annexure by closing the factory or any act which will result in non-employment, without getting prior permission from the appropriate Government under Section 25M and further direct the first and second respondents to pass orders on the representation made by the writ petitioner Union dated 19.12.2016 and 06.03.2017.

2. Though the learned counsel for the writ petitioner states that the prayer requires an adjudication, the learned Senior Counsel appearing on behalf of the third respondent-management brought to the notice of this Court that the factory itself was closed on 14.03.2017. Pursuant to the closure of the factory, a dispute was raised in I.D.No.142 of 2019 on the file of the Labour Court, Kancheepuram. The said dispute is pending for adjudication. Thus, the relief, as such, sought to forbear the third respondent from closing the factory would not arise at all in view of the fact that the factory was already closed long back on 14.03.2017.

3. This Court is of the considered opinion that all the grounds raised in the present writ petition are to be raised in the I.D now pending before the Labour Court, Kancheepuram. The respective parties are at liberty to adjudicate all the issues before the Labour Court for their redressal. However, the relief, as such, sought for as well as the cause aroused for the filing of the present writ petition became vanished. Thus, no further adjudication needs to be entertained in respect of the grounds raised in the present writ petition.

4. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-  
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

Svn

To

1. The Secretary,  
Government of Tamil Nadu,  
Labour and Employment Department,  
Fort St. George,  
Chennai-600 009.
2. The Assistant Commissioner of Labour (Conciliation-I),  
SIPCOT Complex,  
Irrunkattukkottai,  
Sriperumputhur-602 117.

+1cc to Mr.P.Nehru, Advocate, S.R.No.76072

+1cc to Mr.A.Suresh Sakthi Murugan, Advocate, S.R.No.76448

+1cc to the Government Pleader, S.R.No.76506

W.P.No.10314 of 2017

BS (CO)  
CS/10/10/2019

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