

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.10453 of 2017

and

W.M.P.No.11328 of 2017

Indian Bank Jewel Appraisers Association
Rep.by its General Secretary,
Mr.S.Bakthavathsalam,
No.12/1, Lakshmanan Street,
M.G.R.Nagar, Chennai-600 014.

...Petitioner

-Vs-

- 1.Indian Bank,
Rep.by its General Manager(HR),
Corporate Office,
254-260, Avvai Shanmugam Salai,
Royapettah,
Chennai-600 014.
2. The Presiding Officer,
Central Govt. Industrial Tribunal
Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the first respondent, from taking any actions against the members of the petitioner association or altering the service conditions of the members of the petitioner association in violation of Section 33 of the Industrial Disputes Act till the disposal of I.D.No.20 of 2017 pending before the second respondent.

For Petitioner : M/s.D.Geetha

For Respondents: M/s.Rita Chandrasekaran
for M/s.Aiyar & Dolia for R1.
R2-Tribunal

O R D E R

The relief sought for in the present writ petition is to forbear the first respondent, from taking any actions against the members of the petitioner association or altering the service conditions of the members of the petitioner association in violation of Section 33 of the Industrial Disputes Act till

the disposal of I.D.No.20 of 2017 pending before the second respondent.

2. The relief as such sought for to forbear the first respondent cannot be granted in a writ proceedings. The petitioner's association raised a dispute in I.D.No.20 of 2017 and the dispute is pending for adjudication before the second respondent. The present writ petition is to forbear the first respondent from taking any actions and if at all any such actions are proposed, then the petitioner's association can approach the Industrial Tribunal for appropriate remedy and the learned counsel for the first respondent states that already they have approached the Industrial Tribunal and the matter is listed "for adjudication".

3. This being the factum, all such grievances, during the pendency of the Industrial Dispute, shall be adjudicated before the Industrial Tribunal/second respondent in the manner known to law.

4. With these observations, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

ssb

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The General Manager(HR),
Indian Bank, Corporate Office,
254-260, Avvai Shanmugam Salai,
Royapettah, Chennai-600 014.
2. The Presiding Officer,
Central Govt. Industrial Tribunal
Chennai.

+1cc to Mr.D.Geetha, Advocate, SR.No.79910
+1cc to M/s.Aiyar & Dolia, Advocate, SR.No.79643

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Kak(22/10/2019)