

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2019

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.8939 of 2017

Workmen of Thejo Engineering Limited,
Rep., by United Labour Federation,
Through its Vice President,
CJ Complex, IV Floor,
No.149, Thambu Chetty Street,
Chennai-600 001.

.. Petitioner

-vs-

1. Government of Tamil Nadu,
Rep., by its Secretary,
Department of Labour and Employment,
Fort St. George, Chennai-600 009.
2. The Assistant Commissioner of Labour
(Conciliation-2),
Kuralagam, Chennai.
3. The Management of Thejo Engineering Limited,
No.176/3, Jaganathapuram Road,
Irulipakkam Village, Alinjivakkam Post,
Ponneri Taluk, Chennai-600 067.
4. Gummidipoondi Sipcot and Engineering
Labours Union,
V.P.C.Memorial, Bypass Road,
Balakrishnapuram, Gummidipoondi,
Thiruvallur District.

.. Respondents

Petition under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the 1st respondent to pass orders with regard to the reference of industrial dispute covered by the Conciliation Failure Report bearing reference Na.Ka.No.A665/2015 dated 28.06.2016 and also to include or substitute the petitioner Union as representing the workmen in the industrial dispute and issue such further or other appropriate orders or directions as this Court may deem fit and proper in the facts and circumstances of the case, award costs and thus render justice.

For Petitioner : Mr.V.Prakash, Senior Counsel
assisted by Mr.K.Sudalai Kannu

For Respondents: RR1 & 2 - Mr.J.Ramesh,
Additional Government Pleader

: R3-Mr.S.Ravindran, Senior Counsel
assisted by Mr.S.Bazeer Ahamed

ORDER

The relief sought for in the present writ petition is to direct the 1st respondent to pass orders with regard to the reference of industrial dispute covered by the Conciliation Failure Report bearing reference Na.Ka.No.A665/2015, dated 28.06.2016, and also to include or substitute the petitioner Union as representing the workmen in the industrial dispute.

2.The learned Senior Counsel appearing on behalf of the 3rd respondent Management made a submission that during the pendency of this writ petition, the Government issued G.O.Ms.No.552, Labour and Employment, dated 17.09.2018 making reference and accordingly, I.D.No.33 of 2018 is now pending adjudication before the Industrial Tribunal at Chennai. Further, the 4th respondent is also a party to the industrial dispute. Under these circumstances, the writ petitioner is at liberty to file appropriate application before the Industrial Tribunal for redressal of their grievances and to implead themselves as a party.

3.This writ petition stands disposed of, accordingly. However, there shall be no order as to costs.

Sd/-

सत्यमेव जयते
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

abr

To

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

2. The Assistant Commissioner of Labour
(Conciliation-2),
Kuralagam, Chennai.

+1cc to Mr.S.Bazeer Ahamed, Advocate, S.R.No.98160
+1cc to the Government Pleader, S.R.No.98943

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PVS (CO)
CS/06/01/2020



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