



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2020

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 8835 of 2020

and

W.M.P. Nos. 10729 and 10730 of 2020

Workmen of Greaves Cotton Ltd.,
Through United Labour Federation (Reg. No. 2657/CNI),
Rep. By its President,
K. Mariappan,
4th Floor, CJ Complex, 149,
Thambu Chetty Street,
Chennai - 600 001.

... Petitioner

-vs-

1. The District Collector,
Ranipet District,
Tamil Nadu - 632 403.
2. The Assistant Commissioner of Labour (Conciliation),
No. 10, Ponniyamman Koil St., Vallalar Nagar,
Sainathapuram, RV Nagar,
Vellore - 632 001.
3. The Management of Greaves Cotton Ltd.,
Rep. By its Managing Director,
Unit No. 701, 7th Floor,
Tower 3 Equinox Business Park,
LBS Marg, Kurla West,
Mumbai - 400 070.
4. Senior General Manager - HR,
Greaves Cotton Ltd., LEU - II,
SITCOT, No. 72, Industrial Complex,
SITCOT, Ranipet - 632 403.
5. Factory Manager,
Greaves Cotton Ltd., LEU - II,
SITCOT, No. 72, Industrial Complex,
SITCOT, Ranipet - 632 403.

... Respondents



Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, first respondent to enforce the lockdown measures set out by the Government of India as well as the Government of Tamil Nadu in the proceedings under the Disaster Management Act, 2005, and further direct the second respondent to proceed on the conciliation on a day today basis with regard to the Industrial Disputes Act, 1947 raised by the petitioner union on 11.06.2020.

For Petitioner : Mr. V. Prakash, Senior Counsel
for Mr. S.R. Boopalachandran

For Respondents: Mr. D. Sathyaraj,
Special Government Pleader (for R1 & R2)

Mr. Sanjay Mohan,
for M/s. S. Ramasubramaniam
and Associates
(for R3 to R5)

O R D E R

(through video conference)

Heard Mr. V.Prakash, Learned Senior Counsel appearing for the Petitioner, Mr. D. Sathyaraj, Learned Special Government Pleader for the First and Second Respondents and Mr. Sanjay Mohan, Learned Counsel for the Third and Fifth Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed for a direction to the First Respondent to enforce the lockdown measures set out by the Government of India as well as the Government of Tamil Nadu in the proceedings under the Disaster Management Act, 2005, and further direct the Second Respondent to proceed on the conciliation on a day today basis with regard to the Industrial Disputes Act, 1947 raised by the Petitioner union on 11.06.2020.

3. Learned Special Government Pleader for the First and Second Respondents informs that the conciliation proceedings has been concluded and failure report has been sent to the Government on 26.08.2020.

4. In view of the subsequent events, nothing remains for further consideration in this Writ Petition. It is needless to add here that the Government of Tamil Nadu shall expeditiously take a decision as to whether the matter requires to be referred for adjudication as industrial dispute and shall be guided by the principles laid down by the Hon'ble Supreme Court of India



in Sharad Kumar -vs- Govt. of NCT of Delhi [(2002) 4 SCC 490] in that regard.

The Writ Petition is disposed on the aforesaid terms. Consequently, the connected Miscellaneous Petitions are closed. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Ranipet District,
Tamil Nadu - 632 403.
2. The Assistant Commissioner of Labour (Conciliation),
No. 10, Ponniyamman Koil St., Vallalar Nagar,
Sainathapuram, RV Nagar, Vellore - 632 001.

Copy to

1. The Additional Chief Secretary to Government,
Labour and Employment Department,
Secretariat,
Fort St. George,
Chennai - 600 009.
2. K.Mariappan,
President,
Workmen of Greaves Cotton Ltd.,
Through United Labour Federation
(Reg. No: 2657 / CNI),
4th Floor, CJ Complex, 149,
Chennai - 600001.



3. Managing Director,
Management of Greaves Cotton Ltd.,
Unit No. 701, 7th Floor,
Tower 3 Equinox Business Park,
LBS Marg, Kurla West,
Mumbai - 400 070.

+1cc to Mr.S.R.Bubala Chandran, Advocate Sr.29409

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srg 16/9/2020