

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:10/3/2020

C O R A M

THE HON'BLE MR.JUSTICE V.PARTHIBAN

Writ Petition No.26884 of 2018

1. N. Devandran
2. N. Ganesa Perumal
3. R. Pulendran
4. S. Rajaram
5. N. Sivasubramanian
6. K.C.Rajhenthiran
7. A. Thangamani
8. P. Sekar
9. S. Rajamani
10. R. Senthil Kumaran
11. K. Saravanan
12. K. Lochana
13. M.D.Malliga
14. K. Jayalakshmi
15. M. Ramar
16. B. Prasana Kumari
17. L. Nirmal Veera Raja Kumari
18. S. Maharajan
19. I.R.Manimegalai
20. S. Jeyanthi
21. G.M.Sathish Kumar
22. K. Mohamed Alimullah
23. S. Vijay
24. T. Krishnakumar
25. N. Rajasree
26. R. Vinoth Kumar
27. C. Ganesan
28. S. Thanigaivel
29. S. Jayaprakash

...Petitioners

1. The Chairman
Chennai Port Trust
No.1 Rajaji Salai
Chennai.
2. The Deputy Chairman-cum-
Chairman of The Departmental Promotion Committee
Chennai Port Trust
No.1 Rajaji Salai
Chennai.

3. The Chief Engineer
Chennai Port Trust
No.1 Rajaji Salai
Chennai.

...Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondents to give financial upgradation under modified assured Career Progression Scheme on completion of every 10 years, from the date of joining to the petitioners and confer all the consequential benefits.

For petitioners Mr.C.Selvaraj
Senior Counsel
for Mr.K.Govindan
For respondents ... Mr.M.R.Dharanichander

O R D E R

When the matter is taken up for hearing, learned counsel appearing for the Port trust would submit that the very same issue which is projected in the writ petition is the subject matter of Industrial Dispute in I.D.No.4 of 2019, pending before Central Government Industrial Tribunal.

2. On behalf of these employees, the Union approached the Government and raised a dispute and the Government, vide proceedings, dated 27/11/2018, has passed orders referring the dispute for adjudication before the Central Government Industrial Tribunal. It also appears that a claim statement has been filed on behalf of the Union before the Tribunal and from the prayer, it could be seen that the very same relief is sought in the claim statement.

3. In view of the pendency of the dispute before the Tribunal, after reference by the Central Government, this Court does not think that the present writ petition is entertainable.

4. In view of the pendency of the dispute before the Industrial Tribunal, writ petition is dismissed, as being not maintainable, without prejudice to the rights of the petitioners in the pending dispute before the Industrial Dispute. No costs.

s/d-
Assistant Registrar

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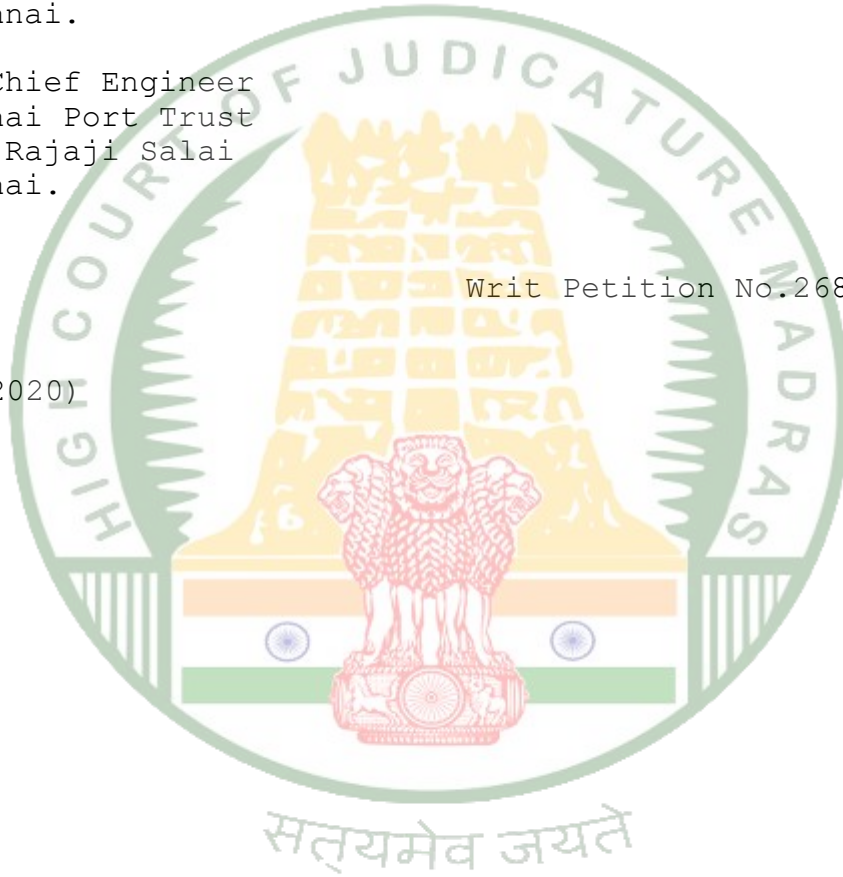
Sub-Assistant Registrar

To

1. The Chairman
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RR(CO)
SP(17/07/2020)



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