



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) .No.13080 of 2014

A.Velusamy ... Petitioner

-Vs-

1.Bunge India Private Limited,
Represented by its Managing Director,
Bunge India Private Limited,
Edamalaipattiputhur,
Tiruchirappalli.

2.The Additional Commissioner of Labour,
Tiruchirappalli.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to take appropriate action on petition, dated 09.10.2012 submitted by the petitioner under Section 25U of the Industrial Dispute Act 1947 in accordance with law.

For Petitioner : Mr.S.Muthukrishnan

For Respondents : Mr.K.Saravanan (for R1)

Mr.P.Mahendran
Additional Government Pleader
(for R2)

ORDER

The relief sought for in the present writ petition is to direct the second respondent to take appropriate action on petition, dated 09.10.2012 submitted by the petitioner under Section 25U of the Industrial Disputes Act 1947.

2.The petitioner was an employee under the first respondent-Private Limited Company. The petitioner submitted an application under Section 25 U of the Industrial Disputes Act 1947. This Court is of the considered opinion that in respect of all such labour disputes, the petitioner has to approach the



Labour Court for the purpose of redressal of his grievances. Section 25 U of the Industrial Disputes Act denotes penalty for committing unfair labour practices. Therefore, the unfair labour practices within the meaning of the Industrial Disputes Act is to be established by the parties concerned. These all are the disputed facts, which all are to be adjudicated before the labour forums and the High Court cannot adjudicate such issues and made a finding for the purpose of issuing a direction to the respondents to impose penalty or not. However, the second respondent is obligated to look into these kind of petitions and take appropriate decision and after providing an opportunity to all the parties and by following the procedures contemplated. Now, the petition submitted by the petitioner is pending for about eight years. Thus, the second respondent is bound to look into the matter and take appropriate decision. The petitioner is at liberty to approach the competent authority as well as the labour forum in order to resolve the disputed issues.

3. With these observations, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AD II)

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Sub Assistant Registrar (CS)

sjj

To

The Additional Commissioner of Labour,
Tiruchirappalli.

+1 cc to Mr.K.Jayaraman , Advocate SR.No.26589

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