



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2020

CORAM:

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) .No.1515 of 2014

Basheer Tiles House

... Petitioner

-Vs-

1.The Labour Officer,
Ramanathapuram,
Ramanathapuram District.

2.The President,
Meenakshi Amman Sumai Thukkum,
Thozhilalar Munnettra Sangam,
Madurai Road, Ramanathapuram.

3.The President,
Anna Sumai Thukkum Thozhilalar Sangam,
Madurai Road, Ramanathapuram.

4.The President,
J.K.Ritish Sumai Thukkuvar Munnettra Sangam,
Madurai Road, Ramanathapuram.

5.The President,
Sathiya Sumai Thukkum Thozilalar
Munnettra Sangam,
Kenikarai, Ramanathapuram.

6.The President,
M.S.K.Sathiyandran Ulaippazhigal Sangam
Alangacheery Street, Ramanathapuram.

7.The President,
Sakkarakkottai Muneeswarar Sumai Thukkum
Thozhilalar Munnettra Sangam,
E.C.R.Road,
Sakkarakkottai, Ramanathapuram.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to initiate conciliation proceedings between the petitioner and the respondents 2 to 7 on the basis of the representation of the petitioner dated 18.12.2013 within a time frame that may be stipulated by this Court.



For Petitioner : Mr.R.R.Kannan
For Respondents : Mr.P.Mahendran (For R1)
Mr.SM.Mohan Gandhi (For R2 & R3)
Mr.L.Shajichellan (For R4 to R7)

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ORDER

The petitioner is the Basheer Tiles House, which is the private company.

2.The relief sought for in the present writ petition is to direct the first respondent to initiate conciliation proceedings between the petitioner and the respondents 2 to 7 on the basis of the representation of the petitioner, dated 18.12.2013. Such a relief cannot be granted in a writ proceedings under Article 226 of the Constitution of India. The dispute, admittedly, is between the private company and its labourers. Thus, the parties concerned are bound to approach the Labour Court for the purpose of adjudication of the disputed issues. However, the said disputed issues cannot be adjudicated by the High Court in a writ proceedings under Article 226 of the Constitution of India. Thus, the petitioner is at liberty to approach the competent authority for the purpose of redressal of their grievances, if any exists as of now.

3.With this liberty, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(P & A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmk

+1 CC to Mr.R.R.KANNAN, Advocate SR.No.26175

+1 CC to Mr.S.M.MOHAN GANDHI, Advocate SR.No.26305

+1 CC to Mr. Special Government Pleader, SR.No. 26271

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SS (CO)

TR(07.01.2021) 2P 4C