

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.03.2021

CORAM

THE HON'BLE Mr. JUSTICE M.GOVINDARAJ

W.P.No.4848 of 2021

and

W.M.P.Nos.5464 & 5465 of 2021

UCAL Employees Union,
Rep.by its General Secretary,
V.Hari Babu,
No.42, Bharathi Mill Thittu,
Cuddalore Road, Mudaliarpet,
Puducherry - 605 004.

... Petitioner

Vs.

1.The Secretary (Labour) cum
Labour Commissioner,
Labour Department,
Government of Puducherry,
Puducherry.

2.The Managing Director,
UCAL Fuel Systems Limited,
A98-A100-A107,
PIPDIC Industrial Estate,
Mettupalayam, Puducherry - 605 009.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of writ of mandamus, directing the 1st respondent to consider the representation of petitioner dated 04.02.2021 to treat the 134 workmen listed in the Annexure herein as the workmen of 2nd respondent at Puducherry Plant as before under Chapter V-B of the Industrial Disputes Act, 1947 and issue such further or other orders or directions deemed fit and proper in the facts and circumstances of this case.

For Petitioner : Mr.V.Prakash, Senior Counsel
for Mr.JR.Roberts.

For Respondents : Mr.G.Djearany
Government Advocate [for R1]
M/s.Manohar for M/s.Gupta & Ravi
[for R2]

O R D E R

The present writ petition has been preferred seeking writ of mandamus directing the 1st respondent to consider the representation of the petitioner dated 04.02.2021 and issue further orders.

2. Mr.G.Djearany, learned Government Advocate appearing for the 1st respondent would submit that by proceedings No.8484/AIL/LAB/T/2020 dated 18.03.2021, the conciliation between the management and the writ petitioner employee union resulted in failure and the matter has been sent to Government for taking appropriate decision.

3. Taking into consideration the aforesaid fact, a direction is given to the the Government of Puducherry to take a decision with regard to the reference of the dispute to the Labour Court within a period of two (2) weeks from the date of receipt of a copy of this order.

4. Accordingly, Writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub-Assistant Registrar

bri

To

1.The Chief Secretary to Government of Puducherry,
Puducherry.

2.The Secretary (Labour) cum
Labour Commissioner,
Labour Department,
Government of Puducherry,
Puducherry.

3.The Managing Director,
UCAL Fuel Systems Limited,
A98-A100-A107,
PIPDIC Industrial Estate,
Mettupalayam, Puducherry - 605 009.

+1cc to M/s.GUPTA AND RAVI,Advocate, SR.NO. 18114

+1cc to M/s.JR.ROBERTS,Advocate, SR.NO. 17683

+1cc to M/s.Special Government Pleader, SR.NO.18095

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PMK(CO)
KKN 20.04.2021