



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.12145 of 2021 and
WMP.No.12913 of 2021

Hosur Exide Industries Employees Unions,
Reg.No.492/DRP
Rep. by its Secretary,
1st Floor, Vimala Kalyanamandapam,
Krishnagiri Bypass Road,
Hosur-635 109.

... Petitioner

-vs-

- 1.The Government of Tamil Nadu,
Repd. by its Secretary,
Department of Labour and Employment,
Fort St. George,
Chennai-600009.
2. The Management of Exide Industries Ltd.
Rep. by its Chief Operations Manager,
Survey No.246, Chichurakanapalli,
Sevaganapalli Panchayat,
Hosur Taluk,
Krishnagiri District-635 103.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the first respondent Government of Tamil Nadu to pass orders with regard to the reference of the Industrial Dispute raised by Petitioner Union and covered by the Conciliation Failure Report being Reference No.Na.Ka.No.A/487/2020 dated 28.04.2021 in exercise of its powers under Section 10 of the Industrial Disputes Act, 1947 expeditiously preferably with four weeks from the receipt of the order.

For Petitioner : Mr.V.Prakash
Senior Counsel
for Mr.U.Manogar

For Respondents: Mr.LSM.Hasan Fizal
Government Advocate



O R D E R

The petitioner has come forward with the present writ petition seeking direction to the first respondent Government of Tamil Nadu to pass orders with regard to the reference of the Industrial Dispute raised by Petitioner Union and covered by the Conciliation Failure Report being Reference No.Na.Ka.No.A/487/2020 dated 28.04.2021, in exercise of its powers under Section 10 of the Industrial Disputes Act, 1947 expeditiously preferably with four weeks from the receipt of the order.

2. When the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that since the conciliation failed, the Conciliation Officer issued a report dated 28.04.2021 under Reference No.Na.Ka.No.A/487/2020 and the same has been forwarded to the first respondent for taking decision with regard to the Industrial Dispute and hence prays this Court for a direction to the first respondent to pass orders as expeditiously as possible.

3. Heard the learned Senior Counsel appearing for the petitioner as well as the learned Government Advocate appearing for the respondents.

4. Considering the submission made by the learned counsel appearing on either side, since the dispute is pending before the first respondent, the first respondent is directed to pass orders with regard to the reference of Industrial Dispute raised by the petitioner, within a period of three weeks from the date of receipt of a copy of this order and communicate the decision taken to the parties within a period of one week thereafter.

5. Accordingly, this Writ Petition is ordered. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

arr



To

1.The Secretary,
Department of Labour and Employment,
Fort St. George,
Chennai-600009.

2.The Chief Operations Manager,
Management of Exide Industries Ltd.
Survey No.246, Chichurakanapalli,
Sevaganapalli Panchayat,
Hosur Taluk,
Krishnagiri District-635 103.

+1cc to Mr.T.S.Gopalan, Advocate, S.R.No.28117
+1cc to the Government Pleader, S.R.No.28151

W.P.No.12145 of 2021

AK-II(CO)
CB(20/07/2021)