



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2021

CORAM

THE HON'BLE Mr. JUSTICE M.S.RAMESH

W.P.No.16171 of 2021

and

W.M.P.No.17898 of 2021

Royal Enfield Employees Union,
(Regn.No.3617/CNI),
Represented by its General Secretary,
No.5, Dr.Vasudevan Road, Kilpauk,
Chennai-600010.

...Petitioner

Vs.

1. The Government of Tamil Nadu,
Represented by its Secretary,
Labour & Employment Department,
Fort St.George, Chennai-600009.
2. The Commissioner of Labour,
Labour Welfare Building,
D.M.S.Compound, Chennai-600006.
3. The Joint Commissioner of Labour-2,
Labour Welfare Building,
D.M.S.Compound, Chennai-600006.
4. The Management,
Royal Enfield, (A Unit of Eicher Motors Ltd.,)
No.A-19, Sipcot Industrial Growth Centre,
Oragadam, Kancheepuram District-602105.
5. Vallam Royal Enfield Employees,
Collaborative Union,
Represented by its General Secretary,
Plot No.G121 and G122, Sipcot Industrial Park, Vallam
Vadakkal, Kancheepuram-602105.
6. Oragadam Royal Enfield Employees,
General Welfare Union,
Represented by its General Secretary,
A-19/1, Sipcot Industrial Growth Centre,
Oragadam, Kancheepuram-602105.

...Respondents

(R5, R6 Impleaded Vide Order Dated 12.08.2021, Made in
W.M.P.No.17898 of 2021)



Prayer :- Writ Petition filed under Article 226 of the Constitution of India, directing the Respondents 1 and 2 to consider and dispose of Petitioner's representation dated 09.03.2021 and 07.04.2021 seeking secret ballot election in the factories of the 4th Respondent Management at Vallam and Oragadam by nominating an Official in the rank of Joint Commissioner of Labour from the office of the 2nd Respondent within a time frame.

For Petitioner : Mr.K.M.Ramesh

For Respondents: For R1 to R3-Mr.S.Arumugham,
(Government Counsel)
For R4-Mr.T.S.Gopalan & Co.,
For R5 and R6- No appearance.

ORDER

This Writ Petition is filed, for issuance of Writ of Mandamus directing the respondents 1 and 2 to consider the petitioner's representations dated 09.03.2021 and 07.04.2021, wherein, the petitioner had sought for permission to conduct the secret ballot election in the fourth respondent's factories.

2. It is seen that, pursuant to the petitioner's representations dated 09.03.2021 and 07.04.2021, the second respondent herein, had deputed the third respondent herein, to consider the petitioner's representations, pursuant to which summons have already been issued to the petitioner herein as well as to the respondents 4, 5 and 6 and the proceedings are pending. Since, the respondents 2 and 3 have already initiated action on the petitioner's representations, the prayer sought for in the present writ petition has been met. In this background, there shall be a direction to the third respondent herein, to expedite the proceedings initiated by the second respondent dated 12.04.2021 pursuant to the petitioner's representations dated 09.03.2021 and 07.04.2021 and complete the same, preferably within a period of three months from the date of receipt of a copy of this order.

3. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar



To

1. The Secretary, Government of Tamil Nadu,
Labour & Employment Department,
Fort St. George, Chennai-600009.

2. The Commissioner of Labour,
Labour Welfare Building,
D.M.S.Compound, Chennai-600006.

3. The Joint Commissioner of Labour-2,
Labour Welfare Building,
D.M.S.Compound, Chennai-600006.

+1 CC to M/s.T.S. Gopalan & Co, sr 47381
+1 CC to Mr.K.M.Ramesh, Advocate sr 47253.
+1 CC to The Government Pleader sr 47565.

W.P.No.16171 of 2021
and
W.M.P.No.17898 of 2021

RGN(CO)
SP(09/11/2021)