

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P.No.15478 of 2020

and

W.M.P.Nos.19322 & 19323 of 2020

SRF & SRF (Polymers) Employees Union,
Regn.No.821/MDS,
Rep.by its General Secretary
No.11, Bharathiar Street,
Vimalapuram Manali,
Chennai - 600 068. Petitioner

Vs.

- 1.The Government of Tamil Nadu,
Represented by its Secretary to the Government
Department of Labour & Employment,
Fort St.George, Chennai - 600 009.
- 2.The Commissioner of Labour,
Labour Welfare Building
DMS Campus, Teynampet,
Chennai - 600 006.
- 3.The Deputy Commissioner of Labour (Conciliation) - II,
Kuralakam, Chennai - 600 108.
- 4.The Management,
SRF Limited,
Manali, Chennai - 600 068. Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus, forbearing the 4th respondent from altering the service conditions of the members of the petitioner Union whose names are given in annexure to the writ petition in any manner including discontinuance of their services or failing to provide employment in any manner or failing to provide employment under the pretext of transfer without getting prior permission for closure of the Industrial Yarn Business (IYB) Unit under Section 25-O of the Industrial Disputes Act, 1947 in the industrial dispute bearing Na.Ka.No.AA/361/2020 dated 11.09.2020 raised by the petitioner Union regarding the illegal closure of the Industrial Yarn Business (IYB) Unit by the 4th respondent and further direct the 3rd respondent to conciliate and effect settlement and if no settlement is forthcoming to submit failure report under Section 12(4) of

the Industrial Disputes Act, 1947 and in turn direct the 1st respondent to refer the dispute for adjudication before the competent Industrial Adjudicator, prosecute the 4th respondent under Section 25-R of the Industrial Disputes Act, 1947 and also issue necessary direction for payment of monthly wages to the employees concerned in the dispute till the Industrial Dispute is finally adjudicated, whose names are given in the annexure to the writ petition.

For Petitioner : M/s.K.T.S.Siva Kumar

For Respondents : Mr.B.Anand,
Government Advocate for R1 to R3
Mr.Ananda Gopalan
For T.S.Gopalan & Co For R4

O R D E R

The learned counsel for the petitioner seeks withdrawal of this writ petition and submitted a memo to that effect dated 26.03.2021, reads as under:

"1.The above writ petition filed by the petitioner Union was heard by this Hon'ble Court and Judgment was reserved on 08.02.2021.

2.In the meanwhile, on 10.03.2021 the petitioner Union and 4th respondent Management entered into a Memorandum of Understanding to start bilateral talks after the petitioner Union withdrawing all the cases pertaining to IYB employees, including the present case and the industrial disputes pending before the 3rd respondent Conciliation Officer. The IYB employees also not received salary for the past 6 months.

3.In these circumstances, the petitioner Union decided to withdraw the above writ petition in order to commence the bilateral talks with the 4th respondent Management. The aforesaid MOU and the withdrawal letter given by the petitioner Union are hereby enclosed with this memo."

2. Accordingly, the writ petition is dismissed as withdrawn. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

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To

1.The Government of Tamil Nadu,
Represented by its Secretary to the Government
Department of Labour & Employment,
Fort St.George, Chennai - 600 009.

2.The Commissioner of Labour,
Labour Welfare Building
DMS Campus, Teynampet,
Chennai - 600 006.

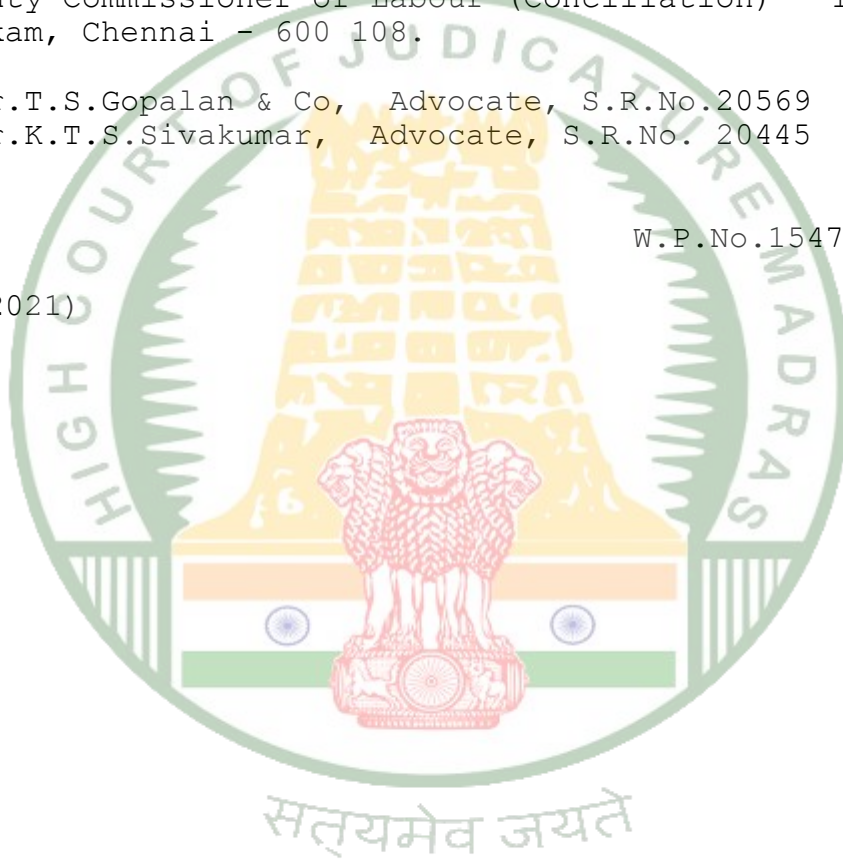
3.The Deputy Commissioner of Labour (Conciliation) - II,
Kuralakam, Chennai - 600 108.

+1cc to Mr.T.S.Gopalan & Co, Advocate, S.R.No.20569

+1cc to Mr.K.T.S.Sivakumar, Advocate, S.R.No. 20445

W.P.No.15478 of 2020

GN(30/03/2021)



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