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W.P.Nos.5572 & 17656 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.5572 & 17656 of 2019

and

W.M.P.Nos.6346, 13462 & 17103 of 2019

Doosan Employees Union,
Rep.by its General Secretary,
Regn.No.512/TVR,
No.42, Anjaneyar Koil Street,
Poonamallee,
Chennai – 600 056.

...Petitioner in both W.Ps

Vs.

1.Government of Tamil Nadu,
Rep.by its Secretary,
Labour and Employment Department,
Fort St.George,
Chennai – 600 009.

2.The Deputy Commissioner of Labour
(Conciliation) 2 i/c
Kuralagam 3rd Floor,
Chennai – 600 108.

3.The Management,
Doosan Power Systems India Private Limited,
Rep.by its Division Head
No.18/2A, Seneerkuppam By-pass Road,



W.P.Nos.5572 & 17656 of 2019

Poonamallee, Chennai – 600 056.

..Respondents in both W.Ps

Prayer in W.P.No.5572 of 2019 : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the 3rd respondent from altering the service conditions of the members of the petitioner union whose names are given in the Annexure to the writ petition in any manner including discontinuance of service or failing to provide employment in any manner without getting prior permission under Section 33 of the Industrial Disputes Act, 1947, in the Industrial Dispute dated 22.01.2019 raised by the petitioner union regarding declaring the protected workman pending conciliation as Na.Ka.No.A/42/19, in the dispute dated 18.02.2019 raised regarding deduction of 24 days wages from the members of the Union, which is pending conciliation as Na.Ka.No.A/143/19 before the 2nd Respondent and in the dispute dated 19.02.2019 raised regarding illegal check of and denial of sick Leave, Casual Leave and Earned Leave, which is pending conciliation as Na.Ka.No.A/155/19 and further, direct the 2nd 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 and in turn direct the 1st respondent to refer the dispute for adjudication before the competent Industrial Adjudicator.

Prayer in W.P.No.17656 of 2019 : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, quash the order of the 2nd respondent dated 22.05.2019 bearing Na.Ka.No.A/42/2019 as illegal, arbitrary and contrary to law and consequently direct the 2nd respondent to declare the seven office bearers of



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the petitioner Union viz., G.Udayakumar, G.Illavarasu, S.Josephine raj, M.S.Chandramohan, S.Sridhar, K.Subbiah and T.Shanmughanantham to be the protected workman under Section 33 of the Industrial Disputes Act.

For Petitioner : Ms.R.Hemima
For Mr.Balan Haridas
[in both W.Ps]

For R1 & R2 : Mr.S.John J.Raja Singh
Additional Government Pleader
[in both W.Ps]

For R3 : Mr.A.R.Pradeep
For M/s.S.Ramasubramaniam and
Associates
[in both W.Ps]

COMMON ORDER

The learned counsel appearing on behalf of the writ petitioner seeks permission of this Court to withdraw the present writ petitions. In this regard, the learned counsel for the petitioner sent a letter to the Registry, High Court of Madras on 26.09.2022. The learned counsel for the petitioner also made an endorsement in the case bundles to withdraw the present writ petitions.

2. Based on the letter and recording the endorsement made by the



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learned counsel for the petitioner to withdraw the writ petitions, both the writ petitions stand dismissed as withdrawn. No costs. Consequently, connected miscellaneous petitions are closed.

04.11.2022

Index : Yes
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To

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Chennai – 600 009.
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S.M.SUBRAMANIAM, J.

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