



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2022

CORAM

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P.NO.14666 OF 2017

AND

W.M.P.NO.15918 OF 2017

C.Eraniappan

... Petitioner

.Vs.

1. The Government of Tamil Nadu,
Rep. by its Secretary,
Labour and Employment Department,
Fort St. George,
Chennai - 600 009.
2. The Assistant Commissioner of
Labour (Conciliation) - I,
SIPCOT Plan Office Campus,
Irunkattukottai, Sriperumbudur Taluk,
Kanchipuram District.
3. The Management,
Sanmina SCI India Private Limited,
OZ-1, SIPCOT Hi-Tech SEZ,
Oragadam, Sriperumbudur Taluk,
Kancheepuram District - 602 105.
4. Indian National Engineering
Employees' Union (INTUC),
I.N.T.U.C. Bhavan,
No.270, M.T.H. Road,
Sidco Estate, Ambattur,
Chennai - 600 098.

... Respondents

PRAYER:-

Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the First and Second Respondents hold election by secret ballot from among the workers of Sanmina SCI India Private Limited, so as to enable the Third Respondent management to recognize the union enjoying majority, for negotiation of industrial disputes.



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For Petitioner : Mr.K.Bharathi

For Respondents : Mr.V.Jeevagiridharan
Additional Government Pleader
(For R1 & R2)

Mr.C.Manohar Gupta
For M/s.Gupta & Ravi
(For R3)

R4 - No appearance

O R D E R

Heard Mr.K.Bharathi, Learned Counsel for the Petitioner, Mr.V.Jeevagiridharan, Learned Additional Government Pleader appearing for the First and Second Respondents, Mr.C.Manohar Gupta, Learned Counsel appearing for the Third Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. This Writ Petition has been filed for directing the First and Second Respondents to hold election by secret ballot from and among the workers of Sanmina SCI India Private Limited so as to enable the Third Respondent to recognize the Trade Union enjoying majority for negotiation of industrial disputes.

3. As Learned Counsel for the Petitioner states that there has been drastic fall in the membership strength of the Trade Union represented by the Petitioner after the filing of the Writ Petition, it appears to be a futile exercise to venture into the task of determining the controversy involved in the Writ Petition at this distance of time. It is made clear that no view has been expressed by the Court on the rival contentions of the parties and that no one else intending to agitate the same issue, if it arises in future, shall be precluded from working out his rights before the proper forum in the manner recognized by law in that regard.

In fine, the Writ Petition is disposed with the aforesaid observations. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar



Maya

To

1. The Secretary
Labour and Employment Department,
Fort St. George,
Chennai - 600 009.
2. The Assistant Commissioner
of Labour (Conciliation) - I,
SIPCOT Plan Office Campus,
Irunkattukottai,
Sriperumbudur Taluk,
Kanchipuram District.
3. The Management,
Sanmina SCI India Private Limited,
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Employees' Union (INTUC),
I.N.T.U.C. Bhavan,
No.270, M.T.H. Road,
Sidco Estate, Ambattur,
Chennai - 600 098.

+1cc to Mr.K.Bharathi, Advocate, S.R.No.38424
+1cc to M/s.Gupta & Ravi, Advocate, S.R.No.38438
+1cc to the Government Pleader, S.R.No.38588

W.P.NO.14666 OF 2017

MG(CO)
PBS/30/06/2022