



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2022

CORAM

THE HONOURABLE MRS.JUSTICE **S.SRIMATHY**

W.P. (MD)No.25061 of 2018

WEB COPY

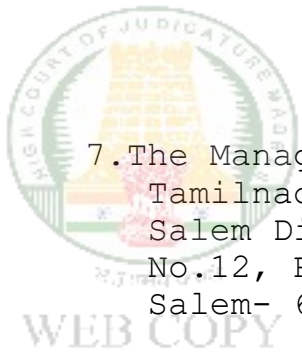
Tamilnadu Arasu Pokkuvarathu Kazhaka

Thozil Nutpa Paniyalargal Nala Sanga Peravai,
represented by its General Secretary,
R.Sekar, having office at
No.21/2, 2nd Street, Ramakrishnanagar Extension,
Kallukuzhi, Trichy-20.

... Petitioner

vs.

- 1.The Additional Chief Secretary,
Government of Tamilnadu,
Transport Department,
Secretariat, Fort.St.George,
Chennai - 600 009.
- 2.The Secretary to the Government,
Government of Tamilnadu,
Finance Department,
Secretariat, Fort.St.George,
Chennai-600 009.
- 3.The Special Deputy Commissioner of Labour,
Office of the Special Deputy Commissioner of Labour,
DMS Campus, DMS Subway,
Teynampet, Chennai- 600 006.
- 4.The Managing Director,
State Express Transport Corporation Cum
Director of Institute of Road Transport (Head Office),
160 Feet Road, Tharamani,
Chennai-600 113.
- 5.The Managing Director,
Metropolitan Transport Corporation (Chennai) Limited,
No.2, Pallavan House, Ground Floor,
Pallavan Salai, Mount Road, Chennai- 600 002.
- 6.The Managing Director,
Tamilnadu State Transport Corporation (Villupuram) Limited,
Villipuram Division,
No.3/137, Salamedu, Valudareddy Post,
Villupuram, 605 602.



- 7.The Managing Director,
Tamilnadu State Transport Corporation (Salem) Limited,
Salem Division,
No.12, Ramakrishna Road,
Salem- 636 007.
 - 8.The Managing Director,
Tamilnadu State Transport Corporation (Coimbatore) Limited,
Coimbatore Division,
38, Mettupalayam Road,Kuppakonampudur,
Coimbatore- 641 043.
 - 9.The Managing Director,
Tamilnadu State Transport Corporation (Kumbakonam) Limited,
Kumbakonam Division,
Post Box No.46, Railway Station New Road,
Kumbakonam- 612 001.
 - 10.The Managing Director,
Tamilnadu State Transport Corporation (Madurai) Limited,
Madurai Division,
Bye Pass Road, Madurai- 625 010.
 - 11.The Managing Director,
Tamilnadu State Transport Corporation (Tirunelveli) Limited,
Tirunelveli Division,
23/2, Thoothukudi Road, V.M.Chatram,
Tirunelveli- 627 011.
- ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents herein to implement the settlement arrived between the members of the petitioner Sanga Peravai with the respondents 4 to 11 herein for the period from 01.09.2010 to 04.01.2018, based on the representation given by the petitioner, dated 10.07.2018 and to pay all attendant and monetary benefits in pursuance of the said settlement within the time stipulated by this Court.

For Petitioner	: Mr.G.Thalaimutharasu
For R1 to R3	: Mr.P.Thambidurai Government Advocate (Civil side)
For R4 to R7 and R9	: Mr.D.Sivaraman Standing Counsel
For R8 and R10	: No appearance
For R11	: Mr.R.Rajamohan Standing Counsel



O R D E R

This Writ Petition is filed for issuance of a Writ of Mandamus, to direct the respondents herein to implement the settlement arrived between the members of the petitioner Sanga Peravai with the respondents 4 to 11 herein for the period from 01.09.2010 to 04.01.2018, based on the representation given by the petitioner, dated 10.07.2018 and to pay all attendant and monetary benefits in pursuance of the said settlement within the time stipulated by this Court.

2.The respondents objected stating that the Writ Petition is not maintainable. Under Industrial Disputes Act, there is a specific provision under Section 18, where the Act specifically states that it has to be filed before Industrial Tribunal.

3.Therefore, this Court is of the considered opinion that there is a specific provision to implement the Settlement arrived between the management and the employees. Therefore, this Court is granting liberty to the petitioner to file a petition under Section 18 of the Industrial Disputes Act, before the appropriate Industrial Tribunal. Accordingly, the Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Tmg

To

1.The Additional Chief Secretary,
Government of Tamilnadu,
Transport Department,
Secretariat, Fort.St.George,
Chennai - 600 009.

2.The Secretary to the Government,
Government of Tamilnadu,
Finance Department,
Secretariat, Fort.St.George,
Chennai-600 009.

3.The Special Deputy Commissioner of Labour,
Office of the Special Deputy Commissioner of Labour,

<https://hcservices.ecourts.gov.in/hcservices/>



DMS Campus, DMS Subway,
Teynampet, Chennai- 600 006.

+1 CC to M/s.SPL GP (SR-13933[F] dated 23/03/2022)

+1 CC to M/s.R.RAJAMOHAN, Advocate (SR-14011[F] dated 24/03/2022)

+5 CC to M/s.D.SIVARAMAN, Advocate (SR-14048[F] dated 24/03/2022)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

W.P. (MD) No.25061 of 2018
22.03.2022

ARK(CO)
KB(04.04.2022) 4P 11C