



WEB COPY



W.P.No.15759 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

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

W.P.No.15759 of 2013

M.Arulprakasam

.. Petitioner

Vs

1.The Secretary to the Government of Tamilnadu,
Labour and Employment Department,
Fort St. George,
Chennai.

2.The Presiding Officer,
Labour Court,
Chennai.

3.VESTAS, Wind Technology India Pvt. Ltd.,
(Production Business Unit)
rep. by Vice President/Factory Manager,
Factory and Registered office at
No.298, Rajiv Gandhi Salai,
Sholinganallur, Chennai-600 119,
Tamil Nadu, India.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of declaration declaring Section 2A(2) of the Tamil Nadu (Amendment) Act 5 of 1988 as void and inoperative so far it repugnant to the Section 2A(2) of the Industrial Dispute



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(Amendment) Act 24 of 2010, consequently 2nd respondent to number the Industrial Dispute ID Sr. No.2450 of 2013 without insisting Conciliation failure report.

For the Petitioner : Mr.P.R.Thiruneelakandan

For the Respondents : Mr.K.Karthick Jeganath
Government Advocate
for respondent No.1

: Mr.Sanjay Mohan
for M/s.S.Ramasubramaniam
Associates
for respondent No.3

: R2 – Tribunal

ORDER

(Order of the court was made by the Hon'ble Chief Justice)

We have heard Mr.P.R.Thiruneelakandan, learned counsel for the petitioner; Mr.K.Karthick Jeganath, learned Government Advocate for the first respondent and Mr.Sanjay Mohan, learned counsel for the third respondent.

2. Learned counsel for the petitioner fairly submits that in view of the judgment of the learned Single Judge of this Court in a case of *S.Gunasekaran and others v. The Government of Tamil Nadu, rep. by*



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its Secretary to Government and others, reported in CDJ 2011 MHC 3273 and the judgment of the Apex Court in a case of *K.A.Annamma v. The Secretary, Cochin Co-operative Hospital Society Limited*, reported in CDJ 2018 SC 017, the issue raised in the writ petition has been concluded.

3. In the light of the above, the writ petition is dismissed.
There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

14.06.2023

Index : Yes/No
Neutral Citation : Yes/No
bbr

To

1.The Secretary to the Government of Tamilnadu,
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THE HON'BLE CHIEF JUSTICE
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P.D.AUDIKESSAVALU, J.

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