



W.P.No.7563 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Orders Reserved on : 23..06..2023

Orders Pronounced on : 100723

Coram

THE HON'BLE MR JUSTICE V. LAKSHMINARAYANAN

Writ Petition No.7563 of 2015

and

M.P.Nos.1,2,3,4 & 5 of 2015

1.R.Veerasekaran

2.D.Palpandian

3.N.Srinivasan

4.A.R.Naveenan

5.J.Thyagarajan

Five Men Committee of Workmen Representing the 104
Employees of Nokia India Private Limited,
Having Office at No.110/63, 2nd Floor,
Corporation of Chennai Shopping Complex,
N.S.K.Salai, Kodambakkam,
Chennai 600 024.

..... Petitioners

-Versus-

1.Government of Tamil Nadu,
Rep. by its Secretary,
Labour and Employment Department,
Fort St. George, Chennai 600009.

2.The Assistant Commissioner of Labour (Conciliation),
Sriperumbudur, Kancheepuram District.



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3.The Management

Nokia India Private Limited,
SEZ PHASE 3 A1,
SIPCOT Industrial Estate,
Sriperumbudur 602 105.

4.The Collector,

Kancheepuram District,
Kancheepuram.

..... Respondents

Petition filed under Article 226 of The Constitution of India, praying to issue a Writ of Mandamus directing the 2nd respondent to conciliate the dispute raised by the petitioner pending as B/166/2015 dated Nil filed on 23.02.2015 and effect settlement and if no settlement is forthcoming to submit failure report under Section 12(4) of the Industrial Disputes Act to the 1st respondent and in turn direct the 1st respondent to refer the dispute for adjudication before the competent Industrial Adjudicator and in the meanwhile direct the 3rd respondent to pay wages to the employees concerned in the writ petition whose names are given in the Annexure to the writ petition in accordance with Section 25(O)(6) of the Industrial Disputes Act,1947.



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For Petitioners : Mr.Balan Haridas

*For Respondents : Mr.J.C.Durai Raj,
AGP for RR1, 2 & 4
Mr.P.V.Balasubramanian,
Senior Counsel for
M/s.BFS Legal for R3
Mr.S.Parthasarathi
for Mr.N.Tamilpriyan,
petitioner in M.P.No.4 of 2015
and proposed 5th respondent*

ORDER

This writ petition seeks a writ in the nature of mandamus, directing the 2nd respondent to conciliate the dispute raised by the petitioner pending as B/166/2015 dated Nil filed on 23.02.2015 and effect settlement and if no settlement is forthcoming, direct the 2nd respondent to submit failure report under Section 12(4) of the Industrial Disputes Act to the 1st respondent and, in turn, direct the 1st respondent to refer the dispute for adjudication before the competent Industrial Adjudicator and in the meanwhile direct the 3rd respondent to pay wages to the employees concerned in the writ petition whose names are given in the Annexure to the writ petition in accordance with Section 25(O)(6) of the Industrial Disputes Act, 1947.

2. This writ petition has become infructuous since after the writ petition



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was filed, the matter was taken cognizance by the Government and it had refused to refer the matter by order in G.O.(D) No.342, Labour and Employment (A2) Department, dated 14.07.2015 and by an order, today, I have dismissed the writ petition filed in W.P.No.24591 of 2015 filed by the same petitioner. Accordingly, the writ petition stands dismissed as infructuous. No costs. Consequently, connected MPs are closed.

10..07..2023

Index : yes / no
Neutral Citation : yes / no
Speaking / Non Speaking Order
kmk

To

- 1.The Secretary, Government of Tamil Nadu,
Labour and Employment Department,
Fort St. George, Chennai 600009.
- 2.The Assistant Commissioner of Labour (Conciliation),
Sriperumbudur, Kancheepuram District.
- 3.The Collector, Kancheepuram District,
Kancheepuram.



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V.LAKSHMINARAYANAN, J.

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Pre Delivery Order
in
W.P.No.7563 of 2015

10..07..2023