



W.P.No.16981 of 2022
and W.M.P.Nos.16264 & 16265 of 2022

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2023

CORAM

THE HONOURABLE MRS. JUSTICE **R. HEMALATHA**

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and
W.M.P.Nos.16264 & 16265 of 2022

- 1.T.Andavan
- 2.S.Gobu
- 3.S.Murugan
- 4.S.Balaji
- 5.R.Krishnamoorthy
- 6.A.Jagadesan
- 7.J.Balamurugan
- 8.R.Murugan
- 9.K.Bhuvaneshwaran
- 10.A.Subramaniyan
- 11.S.Sasikumar
- 12.M.Iyngarmoorthy
- 13.S.Ramu
- 14.S.Sathiyaseelan
- 15.L.Saravanan
- 16.S.Lawrance Anthonyraj
- 17.V.Kanagaraj

... Petitioners

Vs.

1.The Secretary to the Government /
The Commissioner of Labour,
Labour Department, Government of Puducherry,
Puducherry - 605 111.



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2.The Labour Officer Conciliation,
Labour Department, Puducherry.

3.The Managing Director,
Larsen and Turbo Limited,
(TLT & Rolling Mill Unit),
Sederapet, Pondicherry.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the 3rd respondent from discontinuing the petitioners from their service in contravention of Section 33 of the Industrial Dispute Act and without approval of the 2nd respondent, Labour Court, Puducherry, as the case may be where an Industrial Dispute over their regularisation of service are pending adjudication in ID(T).No.4 of 2018 and ID(T).No.3 of 2020 and consequently direct the 2nd respondent to effect a settlement with regard to regularisation of service of the petitioners 8 to 16 in the 3rd respondent factory and if no settlement is forthcoming to submit failure report to the 1st respondent under Section 12 (4) of Industrial Dispute Act and in turn direct the 1st respondent to refer the Industrial Dispute for adjudication by the competent Industrial Court.

For Petitioner : Mr.P.R.Thiruneelakandan

For RR1 & 2 : Ms.Sharada Vivek, AGP (Puducherry)



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ORDER

The grievance of the writ petitioners is that the third respondent is attempting to discontinue the services of the writ petitioners in contravention of Section 33 of the Industrial Dispute Act and without approval of the second respondent, Labour Court, Puducherry, where two Industrial Disputes over their regularisation of service are pending adjudication in ID(T).No.4 of 2018 and ID(T).No.3 of 2020.

2.The contention of the writ petitioners is that the petitioners 1 to 7 had raised Industrial Disputes in I.D.No.4/2018 and I.D.No.3/2020 before the Labour Court, Puducherry and the petitioners 8 to 17 had also raised an Industrial Dispute before the second respondent Labour Officer (Conciliation) for regularisation of their services and the same are pending for adjudication.

3. The writ petitioners are directed to workout their remedy in



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the respective disputes and the second respondent is directed to dispose of the petitions filed by the writ petitioners as expeditiously as possible.

4.With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

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Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
mtl

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R. HEMALATHA, J.

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