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W.P.No.26751 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2023

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THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.26751 of 2023

Vikravandi Toll Plaza Thozhilalar Munnetra Sangam,
Registration No.290/VPM,
Rep. by its President, M.Dhanasekaran,
Having office at No.96, Reddykuppam Road,
Vikravandi, Villupuram District.

...Petitioner

Vs.

1. The Chief General Manager,
National Highway Authority of India,
Sri Towers, 2nd Floor DP 34(D), Sipcot,
Guindy, Chennai – 600 032.
2. The Project Director,
National Highway Authority of India,
Villupuram Zone, 26 VGP Nagar,
1st Floor, Vazhuthareddy & Post,
Villupuram – 605 401.
3. The Project Manager,
Ulundurpet Express Highways Private Limited,
Vikravandi Toll Plaza, Vikravandi Taluk,
Villupuram District – 605 652.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st & 2nd respondents to consider and pass orders on merits by disposing the written representation made by the petitioner on 02.08.2023.



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For Petitioner : Ms.R.Hemalatha

For Respondents : Mr.Su.Srinivasan, for R1 & R2

ORDER

This Writ petition has been filed seeking direction to the 1st & 2nd respondents to dispose of the written representation made by the petitioner on 02.08.2023.

2. Mr.Su.Srinivasan, learned counsel takes notice for the 1st and 2nd respondents. In view of the consent expressed by the Learned counsel appearing for either side, this petition is taken up for final disposal at the admission stage itself.

3. Since no adverse order is being passed against the 3rd respondent, notice to the 3rd respondent is dispensed with.

4. The case of the petitioner is that the petitioner union is a registered union established for the welfare of the workers of the Vikravandi Toll Plaza and there are more than 200 workers working as drivers, road maintenance workers, security, para medicals and electricians in the said



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Toll Plaza. Prior to the petitioner union, the workers of the said Vikravandi

Toll Plaza were attached with AIUTC Union's Tamilnadu Branch and have approached the Labour Commissioner and made certain demands with regard to increment, bonus etc., Pursuant to which, the Labour Commissioner conducted negotiation in between the parties and based on the said negotiation, the 3rd respondent disbursed increment and bonus to the workers, however, only for a period of three years. Therefore, questioning the same, the petitioner union sent written representations on 04.05.2023 & 02.08.2023 to the respondents, however, till date, no orders have been passed on the same. Hence, this Writ petition.

5. Though very many grounds have been raised, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the 1st & 2nd respondents to consider and pass appropriate orders on the petitioner union's representation dated 02.08.2023, as expeditiously as possible.

6. On the above said contentions, heard learned counsel appearing for the 1st and 2nd respondents and perused the materials available on record.



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7. Though very many grounds have been raised by the learned counsel on either side at the time of arguments, however, when this Court expressed its opinion that, the respondents herein are not the competent authority to redress the grievances of the petitioner union, learned counsel for the petitioner restricted the prayer and sought permission of this Court to either approach the conciliation officer or to raise appropriate industrial dispute. Learned counsel appearing for the 1st and 2nd respondents has no objection for the limited request made by the learned counsel for the petitioner.

8. In view of the above, this Writ petition stands dismissed with a liberty to the petitioner to workout the remedy before the appropriate forum, if so advised, in the manner known to law. No costs.

11.09.2023

skt

Speaking Order : Yes/ No
Index : Yes/ No
NCC : Yes/ No

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M.DHANDAPANI., J.

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