



W.P.No.22734 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2023

CORAM

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

W.P.No.22734 of 2017

and

WMP.No.23830 of 2017

Tamilnadu Petroleum and Gas Workers Union,
Rep. by its General Secretary,
VPC Ninaivagam, 39-E, Cinema Nagar,
Chinneri Vayal Kadu, Salem – 636 009.

...Petitioner

Vs.

1. The Government of India
Rep. by its Secretary,
Ministry of Labour,
New Delhi.
2. The Deputy Chief Labour Commissioner(Central),
Shastri Bhavan, Haddows Road,
Chennai – 6.
3. The Regional Labour Commissioner (Central),
Shastri Bhavan, Haddows Road,
Chennai – 6.
4. The Regional Labour Commissioner (Central),
Kanaga Apartments,
Suite No.3, 1st Floor, 13A, Lady Doak College Road,
Chinna Chokkikulam, Madurai – 2.



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5. Indian Oil Corporation,
Rep. by its Executive Director,
Regional Office, Southern Region,
Indian Oil Bhavan,
139, Nungambakkam High Road,
Nungambakkam, Chennai – 34.
6. The Deputy General Manager,
Indian Oil Corporation,
LPG Bottling Plant, SIPCOT,
Perundurai – 638 052.
7. M/s. Promotech Services (P) Ltd.,
18, Ladi Madhavan Road, Mahalingapuram,
Nungambakkam, Chennai – 600 034.
8. Indian oil Contract Employees Union,
Rep by its General Secretary,
No.139, Nungambakkam High Road, Chennai – 34. ...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Declaration, declaring that the settlement dated 01.08.2017 signed by the respondents 3, 8 and one of the officials of the 5th respondent as illegal, invalid and contrary to the provisions of the Industrial Disputes Act and consequently direct the 4th respondent to proceed further the Conciliation proceedings on the dispute by clubbing the dispute raised by the 8th respondent union and to bring an amicable settlement within a specified time and to submit failure report to the 1st respondent in the event of failure of conciliation and the 1st respondent to refer the dispute to the Central Government Industrial Tribunal cum Labour Court, Chennai for adjudication within a specified time, award costs.

For Petitioner : Mr.V.Ajoy Khose

For Respondents : Mr.G.Anand,
for M/s.T.S.Gopalan & Co., for R5 & R6
: No Appearance, for R2 to R4 & R8



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ORDER

Though the petitioner has come up with this Writ petition seeking to declare the settlement dated 01.08.2017 signed by the respondents 3, 8 and one of the officials of the 5th respondent as illegal and for certain other consequential directions, however, learned counsel for the petitioner submitted that, the period of 12(3) settlement itself is over, hence, it would suffice, if this Court grants liberty to the petitioner to workout the remedy in the manner known to law.

2. In view of the above, this Court, without going into the merits of the case, is inclined to **close** this Writ petition with a liberty to the petitioner union to work out the remedy in the manner know to law. No costs. Consequently, connected Miscellaneous petition is closed.

13.09.2023

skt

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

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