



W.P.No.15370 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.08.2023

CORAM

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

W.P.No.15370 of 2017

Greaves Mazdoor Sangh,
Rep. by its General Secretary R.Ganesh,
No.6, Kanar Kaikara Street, Thoppukana Arcot,
Vellore District - 632 503.

...Petitioner

Vs.

1. The Secretary to Government,
Labour and Employment Department,
Fort St. George, Chennai – 600 009.
2. The Commissioner,
Labour and Employment Department,
DMS Building Teynampet, Chennai – 6.
3. The Labour Officer-I,
No.10, Thiagarajapuram, Vellore – 1.
4. The Management of Greaves Cotton Ltd.,
Rep. by its General Manager,
No.72, Sipcot Industrial Complex,
Ranipet, Vellore District – 632 403.

...Respondents



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Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the entire records in pursuant to the Impugned Government Order in G.O.(Te)No.279 passed by the Labour and Employment (Pe 2) Department / 1st respondent dated 15.05.2017 and quash the same and consequently direct the 1st respondent to refer the dispute for adjudication before the Hon'ble Tamil Nadu State Industrial Tribunal, Chennai-104.

For Petitioner : Mr.K.Sathiyamurthi

For Respondents : Mr.M.S.Prem Kumar, GA, R1 to R3
: Mr.G.Anand
for M/s. T.S.Gopalan & Co., for R4

ORDER

This Writ petition has been filed seeking quashment of the Government Order in G.O.(Te).No.279 passed by the 1st respondent dated 15.05.2017 and to consequently direct the 1st respondent to refer the dispute for adjudication before the Tamil Nadu State Industrial Tribunal, Chennai.

2. The case of the petitioner is that, for non-addressing certain grievances of the members of the petitioner sangam, who were employed



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under the 4th respondent, the petitioner union raised disputed under Section 2(k) of the Industrial Disputes Act, 1947 before the 3rd respondent and as the matter was not settled between the parties after conciliation, the 3rd respondent submitted a failure report dated 28.04.2016 before the 1st and 2nd respondents and the 1st respondent, without referring the matter to the tribunal, issued the present impugned Government order in G.O.(Te).No. 279 dated 15.05.2017, refusing to refer the petitioner union's demands/ disputes to the tribunal. Challenging the same, the petitioner has come up with this Writ petition.

3. Heard learned counsel on either side and perused the materials available on record.

4. A perusal of the material documents placed on record particularly the reply dated 16.08.2022 given by the Joint Director, Industrial Safety and Health, Vellore for the application made by the petitioner union under Right to Information Act, 2005 reveal that, the Greaves Cotton Limited / the 4th respondent is no longer in existence and in the said place another industry is running in the name and style of Greaves Electric Mobility Private Limited,



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as the 4th respondent had surrendered the land to the SIDCO, which was subsequently allotted in favour of the said Greaves Electric Mobility Private Limited, which is completely a different body and is in no way connected to the 4th respondent.

5. In view of the above, this Court is not inclined to grant any relief as sought for by the petitioner. However, the petitioner union is at liberty to workout the remedy in the manner known to law.

6. For the reasons aforesaid, this Writ Petition stands dismissed. No costs.

28.08.2023

skt

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



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M.DHANDAPANI., J.

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