



W.P(MD)No.20914 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **28.08.2023**

CORAM:

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.20914 of 2023

E.Ponraj

...Petitioner

Vs.

1.The Managing Director,
State Transport Corporation Ltd.,
Bypass Road, Madurai,
Madurai District – 625 016.

2. The General Manager,
State Transport Corporation Ltd.,
Virudhunagar,
Virudhunagar District – 626 001.

3. The Assistant Commissioner of Labour (Conciliation),
Virudhunagar,
Virudhunagar District.

4. The Assistant Commissioner of Labour (Conciliation),
Madurai,
Madurai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus directing the Respondents No.3 and 4 to dispose of the conciliation



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proceedings initiated under Section 2K of the Industrial Disputes Act, 1947 in Na.Ka.Nos. 64 to 67/2023 or refer the dispute to the Labour Court within the time stipulated by Court.

For Petitioner : Mr.S.Louis
For R1 & R2 : Mr.K.Ramaiah
For R3 & R4 : Mr.N. Muthuvijayan
Special Government Advocate

ORDER

With the consent of both sides, this Writ Petition is taken up for final disposal at the state of admission itself.

2. This Writ Petition has been filed seeking a writ of mandamus directing the respondents 3 and 4 to dispose of the conciliation proceedings initiated under Section 2-K of the Industrial Disputes Act, 1947 in Na.Ka.Nos. 64 to 67/2023 or refer the dispute to the Labour Court within the time stipulated by Court.

3. The case of the petitioner is that he was appointed as the Conductor in State Transport Corporation Ltd., in the year 1988.



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Presently, he is working as the Conductor in Sattur Branch. The petitioner, on verification, found that the pay is much lower to him comparing with other employees who joined along with him in service and he also found that several mistakes/punishments were issued without any knowledge to the petitioner, which is affected the pay reduction. Challenging the punishment of stoppage of increment for 2 years, without cumulative effect vide order dated 20.09.2012, the petitioner has preferred the conciliation proceedings in Na.Ka.No.64 of 2023 before the 3rd respondent. The petitioner also challenged the punishment of reduction in basic pay by three stages vide order dated 17.08.2013 and he has preferred conciliation proceedings in Na.Ka.No.65/2023 before the 3rd respondent. Questioning the delay in award of the 2nd review and the 3rd review by the petitioner, he has preferred the conciliation proceedings in Na.Ka.No.67/2023 before the 3rd respondent.

4. The petitioner approached the respondents 3 and 4 to



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dispose of the conciliation proceedings initiated under Section 2K of the Industrial Disputes Act, 1947. But the said proceedings are still pending. Aggrieved by the same, this Writ Petition is filed.

5. The learned Special Government Pleader appearing for the respondents 3 and 4 submits that the conciliation proceedings will be disposed as per the time fixed by this Court.

6. Heard the learned counsel for the petitioner, the learned Standing Counsel appearing for the respondents 1 and 2 and the learned Special Government Pleader appearing for the respondents 3 and 4 and perused the record.

7. Having heard the respective counsels and upon careful perusal of the materials available on record, in the present Writ Petition, the petitioner is seeking relief only with regard to the disposal of the conciliation proceedings initiated under Section 2K



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of the Industrial Disputes Act, 1947, which are pending before the respondents 3 and 4.

8. In view of the same, in my considered opinion, without going into the merits of the case, at this stage it is appropriate to direct the respondents 3 and 4 to dispose of the conciliation proceedings pending before them within the time frame to meet the interest of justice.

9. Accordingly, this Writ Petition is disposed of with a direction to the respondents 3 and 4 to dispose of the conciliation proceedings initiated under Section 2K of the Industrial Disputes Act, 1947 in Na.Ka.Nos. 64 to 67/2023 within a period of eight weeks from today.

4. No costs.

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Index : Yes / No
NCC : Yes / No
CM



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BATTU DEVANAND, J.

CM

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