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W.P.No.20739 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2024

CORAM:

THE HONOURABLE Dr. JUSTICE D. NAGARJUN

W.P.No.20739 of 2024

Tagros Chemicals India Private Limited
Represented by its Vice President
R.Aravazhi
A-4/1, 4/2, 4/4, 4/5, 3/1 & 3/1C
Sipcot Industrial Complex
Pachayankuppam
Cuddalore 607 005.

... Petitioner

Vs.

- 1.The Assistant Commissioner of Labour
(Conciliation)
Deepan Nagar, 1st Street
Semmandalam, Cuddalore 607 001.
- 2.Tagros Employees Union
Rep.by its, Secretary
No.89, Lawrence Road
S.N.Ninaivagam
Cuddalore 607 002.
- 3.Tagros Thozhilargal Vazhvuramai Sangam
Rep.by its, Secretary
No.30, D.A.R.Nagar, Pathirikuppam
Cuddalore 607 002.



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4.Tagros Thozhilar Munnetra Sangam
Rep.by its, Secretary
No.42, Krishna Nagar, 2nd Cross Street
Pallavan Salai, Pathirikuppam
Cuddalore 607 401.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to complete the conciliation process pending in Na.Ka.No.184/2024, between the petitioner company and the respondents 2, 3 & 4 and in the event of failure of conciliation direct the first respondent send the report as per the Industrial Disputes Act, for further adjudication within a stipulated time.

For Petitioner : Mr.M.Vaikunth

For Respondents : Mr.K.Tamil Vendhan for R1
Government Advocate

ORDER

This Writ Petition has been filed seeking Writ of Mandamus, directing the first respondent to complete the conciliation process pending in Na.Ka.No.184/2024, between the petitioner company and the respondents 2, 3 & 4 and in the event of failure of conciliation direct the first respondent to



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send the report as per the Industrial Disputes Act for further adjudication within a time frame.

2. It is submitted by the learned counsel for the petitioner that the respondents 2, 3 & 4 have demanded salary hike and other demands on behalf of the employees coupled with other demands. In response to the said demands, the Management of the company has conducted several rounds of talks with the union and since no consensus were arrived, the issue was referred to the first respondent for conciliation during the year 2022 and number of sittings have been held during the course of conciliation process. However, the said proceedings have not been concluded.

3. It is submitted that during pendency of the conciliation proceedings, the workmen have been resorted to illegal strike, and that the petitioner has filed photographs showing that the workmen were sitting in front of the Company. According to the learned counsel for the petitioner because of the non conclusion of conciliation proceedings, the workmen have been creating unpleasant atmosphere. Therefore, the petitioner sought for a



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direction to the concerned conciliation Officer to conclude the conciliation proceedings within a fixed time frame.

4. The learned Government Advocate appearing for the first respondent has submitted that the conciliation proceedings will be concluded as early as possible.

5. Considering the submissions of both sides and on perusal of the documents, since unpleasant atmosphere is created between the petitioner Management and workmen on account of continuous pendency of conciliation proceedings and also considering the fact that conciliation proceedings have been initiated in the month of September 2022 and that even after a lapse more than two years, though number of sittings were held, the conciliation proceedings could not be concluded. In view of the same, this Court directs the first respondent to complete the conciliation proceedings forthwith.

6. In the result, this Writ Petition is disposed of directing the first



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respondent to complete conciliation proceedings between the petitioner and the respondents 2, 3 & 4 as quickly as possible. No costs.

24.07.2024

Index : Yes / No
Internet : Yes / No
dna

To

The Assistant Commissioner of Labour
(Conciliation)
Deepan Nagar, 1st Street
Semmandalam, Cuddalore 607 001.



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Dr.D.NAGARJUN, J.

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