



W.P.No.34614 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.No.34614 of 2014and
M.P.No.1 of 2014

Atomic Energy Employees Association
Reg.No.67/79,
Rep. By its General Secretary,
C.U.Jayakumar,
JCM Office, CDO Building,
IGCAR, Kalpakkam,
Kanchipuram.

.. Petitioner

Vs.

1.Assistant Labour Commissioner(C)-I,
Office of Dy-Chief Labour Commissioner(Central),
3rd Block, 5th floor, Shastri Bhawan,
No.26, Haddows road,
Nungambakkam,
Chennai-600 006.

2.The Director
Indira Gandhi Centre for Atomic Research,
Department of Atomic Energy,
Kalpakkam-603 102

.. Respondents



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PRAYER: Writ petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus, to call for the records of the 1st respondent order No.M8/30/2014-B3 dated 24.11.2014 of the 1st respondent and quash the same and consequently to direct the 1st respondent to conciliate the dispute raised by the petitioner association, if the 2nd respondent did not come for settlement issue failure report on the issue to refer by the Government for adjudication before Central Government Industrial Tribunal, Chennai.

For Petitioner : Mr.S.T.Varadaraulu

For Respondent 1 : Mr.B.Rabu Manohar
Standing Counsel

For Respondent 2 : No appearance

ORDER

The order that is questioned in this writ petition is one which is passed without jurisdiction. The Conciliation Officer is not vested with the authority to decide as to whether the respondent organization is an industry or not and the competent authority is only the Tribunal. Therefore, the matter is remitted back to the 1st respondent to table failure report and refer the matter to the Central Government Industrial Tribunal, Chennai.



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Index : Yes / No
Speaking/Non-speaking Order
nr

To

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