



W.P.No.3474 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :04.09.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.3474 of 2022

and

W.M.P.No. 3596 of 2022

Amaippusrara Thozhilalar Sangam,
Register under
All India Trade Union Congress, rep. by
S.Ramesh Kumar

... Petitioner

Vs.

1. The Principal Secretary to Government,
Government of Tamil Nadu,
Labour and Employment Department,
Secretariat,
Chennai – 600 009.
2. The Commissioner of Labour,
Government of Tamil Nadu,
DMS Complex, Anna Salai,
Chennai.
3. The District Collector,
Collectorate,
Tiruvarur District,
Tiruvarur.
4. The Superintendent of Police,



W.P.No.3474 of 2022

District Police Office,
Tiruvarur.

5. M/s. Diamond Silicates,
A Registered Partnership Firm,
rep. by its Managing Partner Ramesh Babu
haiving business at 3-163/1, Vellakudi,
Mannargudi Main Road,
Kullikarai – PIN – 613 704,
Tiruvarur District.
6. M/s. Narimanam Silicate,
A Registered Partnership Firm,
rep. by its Managing Partner A.Prince
haiving business at 205/3, Perunthuraikudi Village
Vellakudi Road, Mannargudi Main Road,
Kullikarai – 613 704,
Tiruvarur District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to take immediate and effective steps to resolve the labour problem prevailing in the fifth and sixth respondents concerns for more than 1 year.

For Petitioner : Mr. K.M.Subrahmaniam

For Respondents : M/s. M.Jayanthi,
Additional Government Pleader
(for R1 to R4)
Mr. A.Arun Babu (for R5 & R6)

ORDER



W.P.No.3474 of 2022

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The petitioner has filed this Writ Petition, directing the first to fourth respondents to take immediate and effective steps to resolve the labour problem prevailing in the concerns of the fifth and sixth respondents for more than a year.

2. Heard Mr. K.M.Subrahmaniam, learned counsel for the petitioner, M/s. M.Jayanthi, learned Additional Government Pleader appearing for the first to fourth respondents and Mr. A.Arun Babu, learned counsel for the fourth and fifth respondents and perused the materials available on record.

3. The first respondent filed a counter-affidavit, and the submission of the learned Additional Government Pleader appearing for the first to fourth respondents reveals that the intervention of the third respondent, the District Collector, through the Revenue Divisional Officer, has resulted in an agreement arrived in the presence of the Revenue Divisional Officer. It is further stated that the fifth and sixth respondents have filed a petition seeking police protection, in W.P. Nos. 1203 and



W.P.No.3474 of 2022

1208 of 2021, and the same was disposed of on 22.07.2022.

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4. So far as the grievance of the workers about their employment conditions is concerned, they have to work out the remedy only by way of raising an industrial dispute. It is not seen from the records whether the petitioner had filed any industrial dispute before the Assistant Commissioner of Labour (Conciliation), Thanjavur, for redressal. Even in this Writ Petition, it is not stated that an industrial dispute has been filed before the Assistant Commissioner of Labour (Conciliation), Thanjavur, nor has the above authority been impleaded as a party to the proceedings.

5. The conciliation officer would take efforts to bring about an amicable settlement, which does not lie in the hands of the first to fourth respondents, who are Government Officers and authorities. If the petitioner feels that the problem is still persisting and no settlement has been arrived at, it is up to them to raise an industrial dispute in the manner known to law.

6. With the above directions, this Writ Petition is disposed of.



W.P.No.3474 of 2022

Consequently, the connected Miscellaneous Petition is closed. No costs.

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Index : Yes /No
Speaking / Non-speaking
Neutral Citation : Yes / No
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WEB COPY



W.P.No.3474 of 2022



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W.P.No.3474 of 2022

R.N.MANJULA, J.

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W.P.No.3474 of 2022

04.09.2024