



WEB COPY



W.P.No. 36543 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2024

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No. 36543 of 2024

The Management of  
S.H. Electronics India Private Limited,  
No. 40 & 41, Neervalur Village,  
Kanchipuram Taluk,  
Kanchipuram District -631 561.  
Rep. by its Managing Director.

... Petitioner

Vs

1. The Deputy Commissioner Labour, Conciliation (I)  
Irungatu Kottai,  
Seriperumbuttur,  
Kanchipuram District.
2. P. Kothandan
3. D. Suresh
4. D. Madhana Gopal
5. A. Kamal
6. K. Muthukumar
7. J. Anandakumar
8. B. Adiyapatham
9. N.Suman
10. G.Raju
11. D. Sathish
12. G.Ganesh Kumar
13. D.Palani



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14. Kanchipuram Podu Thozhilalar Sangam,  
Kanchipuram,  
Rep. by its General Secretary,  
E.Muthukumar.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the first respondent to conclude and pass orders on the conciliation proceedings initiated by considering the petitioner's representation dated 02.09.2024 with regard to the illegal strike undergone by the workmen of the petitioner's factory organized by the Kanchipuram Podu Thozhilalar Sangam, Kanchipuram within stipulated time.

|                |                                                   |
|----------------|---------------------------------------------------|
| For Petitioner | : Mr.D.Nandhagopal                                |
| For R1         | : Mr.K.Surendran<br>Additional Government Pleader |

### **ORDER**

Considering the nature of prayer which is made in the present writ petition, this order is passed at the Admission stage itself, without notice to the workmen involved in this case, who are arrayed as respondents 2 to 13. The prayer is to conclude the conciliation proceedings before the first respondent.



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2. It is the case of the petitioner management that the workmen have raised a Dispute under Section 2(C) of the Industrial Disputes Act before the first respondent, demanding revision of wages, certain working conditions and registration of newly formed trade unions, etc. The first respondent directed the petitioner Management to appear before him on 18.06.2024 for conciliation proceedings. Further, a letter was also sent for participation in conciliation proceedings on 19.06.2024. Conciliation proceedings took place on 25.06.2024, in which the management's representative brought to the notice of the first respondent about the illegal strike of the workmen. The conciliation proceedings were also continued on 18.08.2024. Even as on 19.08.2024, the petitioner management tried to amicably resolve the issue, but the issue is only escalating. Thereafter, the conciliation proceedings were posted to 28.10.2024, but, remains pending till date.

3. While the conciliation proceedings have to be taken to their logical end, both the management and the workmen should understand the purpose for which the provision for conciliation was introduced in the Industrial Disputes Act, 1942 so as to effect resolution of industrial conflicts in an



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amicable manner in the presence of the neutral third party, namely the Deputy Commissioner of Labour, who can guide both parties to effectively negotiate with each other for the benefit of both. The purpose of conciliation is not for filing statements and thereafter closing it and also not for dragging on the issues, leading to the escalation of conflict.

4. In view thereof, the writ petition is disposed of on the following terms:-

(i) The first respondent, the Deputy Commissioner of Labour is requested to forthwith convene a meeting between the management and the labour.

(ii) The conciliation proceedings can be conducted by way of informal oral discussions, not strictly based on the claims and counterclaims which is filed in the form of pleadings before the Conciliation Authorities.

(iii) The Deputy Commissioner of Labour shall steer and guide them to make purposeful negotiations based on interests of both sides and their future and conduct those sessions effectively. If there is any amicable settlement, the same shall be recorded in writing, if not, the closure



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may be effected. The said proceedings shall be conducted without any further delay upon the production of the copy of this order.

(iv) No costs.

09.12.2024

Neutral Citation: Yes/No  
nsl

To  
The Deputy Commissioner Labour, Conciliation (I)  
Irungatu Kottai,  
Seriperumbuttur,  
Kanchipuram District.



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**D.BHARATHA CHAKRAVARTHY, J.**

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