



W.P.Nos.4012 & 4013 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2025

CORAM :

THE HONOURABLE MR. JUSTICE **M.DHANDAPANI**

W.P.Nos.4012 & 4013 of 2025

Desiya Podhu Thozhilalar Orunginaippu,
Rep. by its State Gen. Sec. R.Venkatesan,
305/2, Netaji Nagar, Chengalpattu – 603 001. ...Petitioner in both W.P's.

Vs.

1. Secretary to Government,
Labour Welfare and Skill Development,
Government of Tamil Nadu,
Fort St. George, Chennai – 600 009.
2. The Director,
Industrial Safety and Health,
T.S.No.47/1, Sidco Industrial Estate,
Guindy, Chennai – 32. ...1st and 2nd Respondents in both W.P's.
3. The Manager,
Park Industries Limited,
S.No.2/5, Melma Road, Pudupattu Village,
Madurankam Taluk,
Chenglapattu – 603 303. ...3rd Respondent in W.P.No.4012 of 2025
4. The Manager,
Park Felts Private Limited,
S.No.223/4A, Uthiramerur Road,
Vedavakkam Village, Madurantakam Taluk,
Kancheepuram – 603 303.
...3rd Respondent in W.P.No.4013 of 2025



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Prayer in W.P.No.4012 of 2025: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the Impugned order in G.O.(D).No.525 Labour Welfare and Skill Development (A2) Department, dated 23.07.2024, quash the same and direct the 1st respondent to refer disputes falling in Demand Nos.5, 6, 7, 8, 11, 12, 13, 16 & 17 stated in the Impugned order to the Labour Court.

Prayer in W.P.No.4013 of 2025: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the Impugned order in G.O.(D).No.542 Labour Welfare and Skill Development (A2) Department, dated 05.08.2024, quash the same and direct the 1st respondent to refer disputes falling in Demand Nos.5, 6, 7, 8, 11, 12, 13, 16 & 17 stated in the Impugned order to the Labour Court.

In both W.P's.:

For Petitioner : Mr.P.B.Suresh Babu

For Respondents : Mr.M.Murali, GA, for R1 & R2

COMMON ORDER

Since the issue involved in both the Writ petitions are similar in nature, they are disposed of by way of this common order.



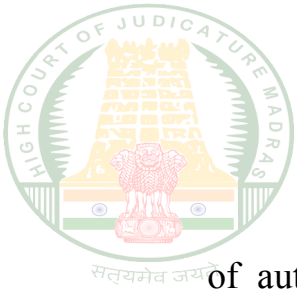
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WEB COPY 2. These two Writ petitions are filed seeking quashment of the Government orders in G.O.(D).No.525 Labour Welfare and Skill Development (A2) Department, dated 23.07.2024 and G.O.(D).No.542 Labour Welfare and Skill Development (A2) Department, dated 05.08.2024 and to consequently, direct the 1st respondent to refer disputes falling in Demand Nos.5, 6, 7, 8, 11, 12, 13, 16 & 17 stated in each of the Impugned orders to the Labour Court.

3. Mr.M.Murali, learned Government Advocate takes notice on behalf of the 1st and 2nd respondents. In view of the consent expressed by the learned counsel on either side, these Writ petitions are taken up for final disposal at the admission stage itself.

4. Since no adverse order is being passed against the 3rd respondent, notice to the 3rd respondent is dispensed with.

5. The short facts are that the petitioner is a registered Trade Union and the members of petitioner union are employed under the respective 3rd respondent, which are hazardous factories engaged in the manufacture



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of automobile spare parts each with 60 workmen. The respective 3rd respondents have failed to comply with various labour welfare laws, despite filing multiple complaints and raising industrial dispute with 17 demands, and even after a prosecution that ended in conviction, the authorities have not ensured implementation of the provisions of the Factories Act. Further, the Government, through separate orders, refused to refer several demands to the Labour Court citing alternate remedies under the Factories Act and the Wages Act. The Petitioner made representations on 05.11.2024 to the concerned authorities seeking appropriate action, but no steps have been taken. Having exhausted all statutory remedies, the Petitioner is constrained to file these Writ Petitions seeking necessary directions to safeguard the rights and welfare of the workmen.

6. Heard learned counsel on either side and perused the materials available on record.

7. The issue involved in these writ petitions lies in a very narrow compass. The petitioner Sangam was aggrieved by the orders passed by



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the 1st respondent refusing to refer the grievances raised by the petitioner union to the Industrial Tribunal and had rejected the prayer made by the petitioner, vide impugned orders dated 05.08.2024 and 23.07.2024 respectively.

8. The 1st respondent has referred to the proceedings of the Deputy Director of Labour, Tiruperumpudhur Division, wherein the said Authority has tabulated the demands of the workers and the reasons for rejecting such demands. A perusal of the said tabular column would show that the reasons given by the Deputy Director for rejecting the demands made by the petitioner are justified. Hence, this Court is not inclined to interfere with the said order passed by the 1st respondent.

9. In the result, these Writ petitions stand dismissed. No costs.

07.02.2025

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Index	: Yes / No
Speaking order	: Yes / No
NCC	: Yes / No



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M.DHANDAPANI, J.
skt

To:

1. Secretary to Government,
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Government of Tamil Nadu,
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2. The Director,
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