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W.P.No.3346 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.01.2025

CORAM:

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

W.P.No.3346 of 2025

WORKMEN OF KATSUSHIRO MATEX INDIA PVT LTD.,
THROUGH UNITED LABOUR FEDERATION,
REPRESENTED BY ITS GENERAL SECRETARY,
NO.149, THAMBU CHETTY STREET,
C.J.COMPLEX, IV FLOOR,
CHENNAI-600 001.

... Petitioner

Vs

1. THE ASSISTANT COMMISSIONER OF LABOUR
CONCILITATION-1, IRUNGATTUKOTTAI,
SRIPERUMBUDUR-602 106
2. THE GOVERNMENT OF TAMILNADU
REPRESENTED BY ITS SECRETARY,
LABOUR AND SKILL DEVELOPMENT (B2) DEPARTMENT,
FORT ST.GEORGE, CHENNAI-600 009
3. THE MANAGEMENT OF KATSUSHIRO MATEX INDIA PVT LTD
PLOT NO.A 38 & 39,
SIPCOT INDUSTRIAL GROWTH CENTRE,
ORAGADAM, SRIPERUMBUDUR TALUK,
KANCHEEPURAM -602 105

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the first respondent to conclude the conciliation proceedings between the petitioner and the third respondent with regard to the charter of demands on 20.03.2024 raised by the petitioner and the management's counter demands on 24.06.2024 and in the event of failure conciliation direct the conciliation officer to submit the conciliation failure report to the second respondent and further direct the second respondent to pass orders with regard to the reference of the Industrial Disputes in exercise of its powers under Section 10(1) of the Industrial Disputes Act, 1946 in the light of the law laid down by this Court in Shaw Wallace & Co. Ltd. vs State of Tamilnadu (by Commissioner and Secretary, Labour Department) and another reported in (1988) 1 LLN 172.

For Petitioner : Mr.M.Udhaya Suriya

For R1 & R2 : Mr.K.Tamilvendan
Government Advocate

ORDER

The prayer in the writ petition is to direct the first respondent, namely the Assistant Commissioner of Labour Conciliation- I, to conclude the Conciliation proceedings.



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2. In view of the nature of the relief that is prayed for, the writ petition is disposed of at the admission stage itself without notice to the third respondent, namely the Management of Katsushiro Matex India Private Limited.

3. The first respondent is directed to hold conciliation meetings regarding the demand raised by the petitioner on 20.03.2024. Conciliation is a very solemn exercise which has to be undertaken by the first respondent. Both sides can be summoned and both joint as well as separate meetings can be held with the workman side as well as the management side, rather than going by way of responses, rejoinder etc., and closing the conciliation as a mere formality.

4. Conciliation is an exercise in which a serious attempt has to be made by the first respondent to resolve the issue amicably. Therefore, having already initiated the conciliation process, the first respondent shall assemble both parties for as many hearings as may be necessary, holding joint meetings



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with both sides as well as separate meeting, to try to resolve the issue. If the issue is not resolved, the first respondent shall submit a failure report in accordance with law. The said exercise shall be completed by the first respondent not later than a period of eight weeks from the date of production/receipt of the website uploaded copy of this order, without waiting for the certified copy of the order.

5. In view of the above, this writ petition is disposed of. No costs.

30.01.2025

Neutral Citation: Yes/No
nsl

To

1. THE ASSISTANT COMMISSIONER OF LABOUR
CONCILITATION-1, IRUNGATTUKOTTAI,
SRIPERUMBUDUR-602 106
2. THE SECRETARY,
LABOUR AND SKILL DEVELOPMENT (B2) DEPARTMENT,
FORT ST.GEORGE, CHENNAI-600 009

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D.BHARATHA CHAKRAVARTHY, J.

nsI

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