



WP No. 5934 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2025

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THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 5934 of 2023

AND WMP NO. 5936 OF 2023

1. Caterpillar India workers Union

Regn.No.CPT/ 414 Rep by its General

Secretary B.Gokul Melnallathur

Village, Thiruvallur- 602 002.

Petitioner(s)

Vs

1. M/s.CATERPILLAR India Private Limited

Rep by its Managing Director, Melnallathur Village,
Thiruvallur- 602002.

2.Uma Maheswari Viswanathan

Human Resources Manager Caterpillar India Private
Limited, Melnallathur Village, Thiruvallur- 602 002.

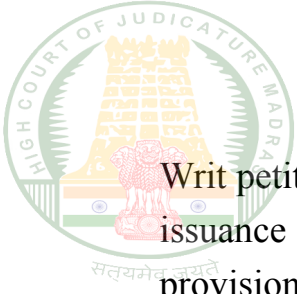
3.Arun Kumar

Human Resources Manager Caterpillar India Private
Limited, Melnallathur Village, Thiruvallur- 602 002.

4.The Government of Tamil Nadu

Rep By Its Secretary, Department Of Labour And
Employment, Fort St. George, Chennai- 600 009.

Respondent(s)



Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the 4th respondent herein to make provision in the Model Standing orders and also appropriately include in the certified standing orders of the 1st respondent, a provision that will ensure that the employer viz the respondent 1 to 3 will give also Tamil translation of charge memo, order of suspension, supporting materials thereof and all other disciplinary proceedings and all communications to workers in Tamil and issue such further or other orders as this Honble Court.

For Petitioner(s): Mr.V.PRAKASH (P-IN-P)

For Respondent(s): MR. K. SURENDREN, AGP

FOR R4

MS. S.B. KEERTHANA FOR

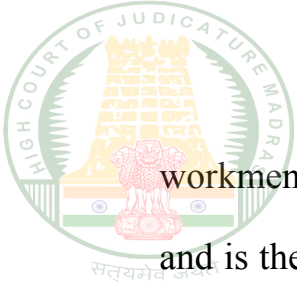
AGAM LEGAL ADVOCATES

FOR R1 TO 3

ORDER

This petition has been filed seeking a direction to the 4th respondent herein to make provision in the Model Standing orders and also appropriately include in the certified standing orders of the 1st respondent, a provision that will ensure that the employer viz the respondent 1 to 3 will give also Tamil translation of charge memo, order of suspension, supporting materials thereof and all other disciplinary proceedings and all communications to workers in Tamil and issue such further or other orders as this Honble Court.

2. The Party-in-person appearing for the petitioner submitted the first respondent is the one of the largest multinational in the world which has a manufacturing facility at Melnallathur Village, Thiruvallur where about 3000 workers are employed. Out of the 3000, only 328 are treated as it as pemenant



workmen. The petitioner Union is the only union in the first respondent factory and is the recognised union. All the aforesaid permanent workmen are members of the petitioner union. The office bearers of the petitioner union were issued charge memo on 23.01.2023 for having put up a communication in the notice board. The first respondent management refused to furnish the tamil translation. The refusal to give tamil translation is denial of reasonable opportunity to defend the charges. Therefore, the present writ petition has been filed seeking for a direction to the 4th respondent to make provision in the model standing orders and also appropriately include in the certified standing orders of the first respondent.

3. Considering the limited request sought for by the petitioner, this Court directs the first respondent to consider the petitioner's request and issue a charge memo, order of suspension, supporting materials and all other disciplinary proceedings in tamil to enable the workmen to defend their side.

4. With the above direction, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

15-04-2025

rli



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M.DHANDAPANI J.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

The Secretary,

Department Of Labour And Employment,

Fort St. George,

Chennai- 600 009.

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