



W.P.Nos.5303 & 5304 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2025

CORAM

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

W.P.Nos.5303 & 5304 of 2013

New Democratic Labour Front
Vectra Advanced Engineering Pvt. Ltd., Branch
(also now known as Kamaz Vectra Motor Limited Branch)
Rep. By its Secretary
Reg. No 24/KRI
L-416. ASTC Old HUDCO
Hosur 635 109.

...Petitioner in both Writ Petitions

Vs.

1. The Government of Tamil Nadu
Rep.by its secretary
Labour and Employment Department
Fort. St. George
Chennai 600 009.
2. Labour Court
Krishnagiri
3. Management
Kamaz Vectra Motor Ltd.,
No.7 & 8, SIPCOT
Hosur 635 109.

...Respondents in both Writ Petitions

Prayer in W.P.No.5303 of 2013: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd



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respondent to take proceedings against the 3rd respondent on the petition dated 30.11.2012 filed by the petitioner to prosecute under section 29 of the I.D Act, 1947 for violating the settlement dated 2.11.2010 entered under section 12(3) of the Industrial Disputes Act, 1947 and give appropriate report to the 1st respondent and in turn direct the 1st respondent to issue necessary orders for prosecuting the 3rd respondent within the time frame fixed by this Hon'ble Court and pass orders.

Prayer in W.P.No.5304 of 2013: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd respondent to take proceedings against the 3rd respondent on the petition dated 23.11.2012 filed by the petitioner for practicing unfair labour practice in accordance with law and pass appropriate orders within the time frame stipulated by this Hon'ble Court.

For Petitioner : Mr.Balan Haridas in both Writ Petitions

For Respondents : Mr. K.Surendran, AGP for R1 & R2
Mr.Sanjay Mohan
for M/s S. Ramasubramanian for R3

COMMON ORDER

Since the issue involved in the above writ petitions are one and the same they are disposed of by way of this common order.

W.P.No.5303 of 2013:

2. Alleging the violation of the Settlement dated 02.11.2012 made



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by the third respondent entered u/s.12(3) of the Industrial Disputes Act, 1947, the petitioner Union filed a petition before the second respondent dated 30.11.2012. Since the same was not considered, the above writ petition has been filed.

W.P.No.5304 of 2013:

3. Seeking a direction to the second respondent to take appropriate action as against the third respondent on the basis of the petition dated 23.11.2012 filed by the petitioner for unfair labour practise in accordance with law, the above writ petition has been filed.

4. The learned counsel for the third respondent in W.P.No.5303 of 2013 submits that during the pendency of said writ petition, a letter dated 20.08.2013 has been issued after conducting enquiry as against the petition filed by the petitioner. Hence, no further orders is necessary in the said writ petition.

5. The learned counsel for the third respondent in W.P.No.5304 of 2013 submitted that as against the petitioner union, the retrenchment order was passed. Hence, no further order is necessary in the said writ petition.



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WEB COPY 6. In view of the above submission, these writ petitions are closed.

However, liberty is granted to the petitioner in W.P.No.5303 of 2013 to work out their remedy in the manner known to law. No costs.

25.02.2025

RAP

Speaking Order : Yes/ No
Index : Yes/ No
NCC : Yes/ No

To

1. The Secretary,
The Government of Tamil Nadu
Labour and Employment Department
Fort. St. George
Chennai 600 009.

2. Labour Court
Krishnagiri



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M.DHANDAPANI., J.

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