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W.P.No.12664 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.04.2025

CORAM :

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

W.P.No.12664 of 2025

and

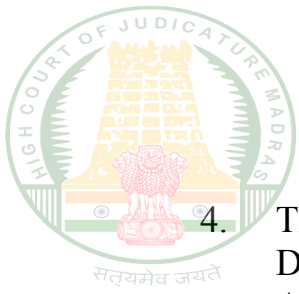
WMP.Nos.14262 & 14265 of 2025

National Employees Union,  
Represented by its General Secretary, N.Dileep Kumar,  
Having Office at : Bldg.No.158,  
Cordite Factory Estate, Aruvankadu,  
Aruvankadu PO, The Nilgirs – 643 202.

...Petitioner

Vs.

1. Union of India,  
Rep. by the Secretary, Government of India,  
Ministry of Defence, South Block,  
New Delhi – 110 011.
2. The Secretary (Defence Production),  
Government of India,  
Ministry of Defence, South Block,  
New Delhi – 110 011.
3. The Under Secretary (D-JCM),  
Government of India,  
Ministry of Defence,  
136, B-Wing, Sena Bhawan,  
New Delhi – 110 011.



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4. The Director General Ordnance,  
Directorate of Ordnance (Coordination & Services),  
Ayudh Bhawan, 10-A, S.K. Bose Road,  
Kolkata – 700 001.
5. Directorate of Ordnance (C & S),  
Field Unit Avadi, HVF Campus,  
Avadi Chennai – 600 054.
6. Chairman and Managing Director,  
Munitions India Ltd.,  
A Government of India Enterprises,  
Ministry of Defence,  
2<sup>nd</sup> Floor, Nyati Unitree, Nagar Road,  
Yerwada, Pune – 411 006, Maharashtra State.
7. The Chief General Manager,  
Cordite Factory Aruvankadu,  
A Unit of Munitions India Ltd.,  
Aruvankadu P.O, The Nilgiris – 643 202.
8. Cordite Factory Labour Union,  
Represented by its General Secretary/President,  
R Hari Hara Subramanyan/G.Ravi,  
Having Office at : Cordite Factory Aruvankadu Estate,  
Jagathala Road, Aruvankadu P.O,  
The Nilgiris – 643 202.

...Respondents

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus forbearing the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> respondents from granting recognition status to the 8<sup>th</sup> respondent union without proper verification of documents pertaining to their recognition and their recognition status.



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For Petitioner : Ms.N.Fidelia

For Respondents : Ms.P.J.Anitha, for R1 to R7

### **ORDER**

The petitioner has filed this Writ petition seeking to forbear the respondents 1 to 3 from granting recognition status to the 8<sup>th</sup> respondent union without proper verification.

2. Ms.P.J.Anitha, learned counsel takes notice on behalf of the respondents 1 to 7. In view of the consent expressed by the learned counsel on either side, this Writ petition is taken up for final disposal at the admission stage itself.

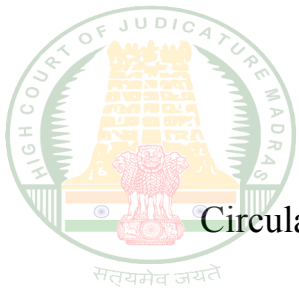
3. Since no adverse order is being passed against the 8<sup>th</sup> respondent, notice to the 8<sup>th</sup> respondent is dispensed with.

4. The case of the petitioner is that the petitioner union is a registered union, recognized by the Government of India and is also affiliated with Indian National Defence Workers Federation (in short 'INDWF') and Indian



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National Trade Union Congress (in short 'INTUC') and is functioning as a recognized union for the past 50 years in all, with total membership of 599 bonafide members. While so, the 8<sup>th</sup> respondent herein, although a registered one and is also affiliated with All India Defence Employees Federation (in short 'AIDEF'), however, it was not recognized by the Government of India. While so, the 8<sup>th</sup> respondent is fraudulently using the recognition given to a Union namely Cordite Factory Aruvankadu Labour Union (in short 'CFA labour union') which became defunct and non-extinct, and obtained seats in JCM-IV Level Council and also participating in elections and other labour-management meetings, which unlawful act of the 8<sup>th</sup> respondent is highly condemnable as the same is strictly prohibited as per the instruction dated 11.12.2019 issued by the 3<sup>rd</sup> respondent Ordnance Factory board. Thereby, the petitioner made several representations before the official respondents seeking to withdraw the status of 'Recognized union' and accord only 'Registered union' status to the 8<sup>th</sup> respondent, despite which, the official respondents allowed the 8<sup>th</sup> respondent to participate in membership verification conducted by MoD and by notice dated 17.01.2024 as full fledged recognized union and also published the final list of unions participating in membership verification and results thereof was also published via CFA

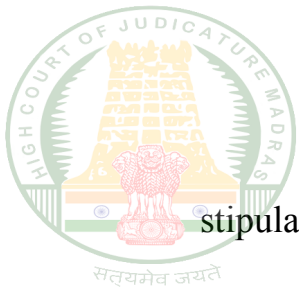


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Circular dated 27.01.2024. Immediately, the petitioner sent several representations dated 09.03.2024 and 24.04.2024 before the 4<sup>th</sup> respondent seeking to withdraw JCM seats allocated to the 8<sup>th</sup> respondent till they comply with Government of India instructions on the subject and also submitted a representation dated 11.03.2024 before the 3<sup>rd</sup> respondent pointing out the illegal functioning of the 8<sup>th</sup> respondent without grant of recognition status. However, till date, no orders have been passed on the said representations. Hence, this Writ petition.

5. Though very many grounds have been raised, the learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the respondents 1 to 3 to consider the petitioner's representations dated 09.03.2024, 11.03.2024 and 24.04.2024 and to consequently verify the recognition status of the 8<sup>th</sup> respondent and to take appropriate action as against the 8<sup>th</sup> respondent for fraudulently using the recognition granted to the CFA labour union, as expeditiously as possible.

6. Learned counsel appearing on behalf of the respondents 1 to 7 submitted that, appropriate orders will be passed on the petitioner's representations dated 09.03.2024, 11.03.2024 and 24.04.2024 within the time



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stipulated by this Court.

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7. In view of the aforesaid submissions, this Court without going into the merits of the case, directs the respondents 1 to 3 to consider the petitioner's representations dated 09.03.2024, 11.03.2024 and 24.04.2024 on merits and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner, 8<sup>th</sup> respondent and other aggrieved persons, if any.

8. With the above directions, this Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous petitions are closed.

**09.04.2025**

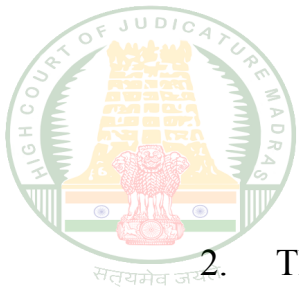
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NCC : Yes/No  
Index : Yes/No  
Speaking Order : Yes/No

To:

1. Union of India,  
Rep. by the Secretary, Government of India,  
Ministry of Defence, South Block,  
New Delhi – 110 011.

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2. The Secretary (Defence Production),  
Government of India,  
Ministry of Defence, South Block,  
New Delhi – 110 011.
3. The Under Secretary (D-JCM),  
Government of India,  
Ministry of Defence,  
136, B-Wing, Sena Bhawan, New Delhi – 110 011.
4. The Director General Ordnance,  
Directorate of Ordnance (Coordination & Services),  
Ayudh Bhawan, 10-A, S.K. Bose Road, Kolkata – 700 001.
5. Directorate of Ordnance (C & S),  
Field Unit Avadi, HVF Campus,  
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6. Chairman and Managing Director,  
Munitions India Ltd.,  
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2<sup>nd</sup> Floor, Nyati Unitree, Nagar Road,  
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7. The Chief General Manager,  
Cordite Factory Aruvankadu,  
A Unit of Munitions India Ltd.,  
Aruvankadu P.O, The Nilgiris – 643 202.

**M.DHANDAPANI, J.**

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