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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-03-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP Nos. 9382, 9386, 9387, 9388, 9389 and 9396 OF 2025

W.P.No.9382 of 2025

1. MANIKANDAN
S/o Sellamuthu, No 14, Perumal Koil
Street, Emaper Post, Kallakkurichi 606
202

Petitioner(s)

Vs

1. The Deputy Commissioner Of
Labour (conciliation)-I
Irungattukottai, Sriperumputhur.

2.The Management
Sathyabama University, Rajivganthi
Road (omr), Jeppiar Nagar,
Semmanchery, Chennai 600 119

Respondent(s)

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WP No. 9396 of 2025

1. P.Karunakaran
S/o Perumal No 85, Perumal Koil
Street, Kavanipakkam Village,
Porpanthar Post, Kanchipuram District

Petitioner(s)

Vs

1. The Deputy Commissioner Of
Labour (conciliation)-I
Irungattukottai, Sriperumputhur.

2.The Management
Sathyabama University, Rajivganthi
Road (omr), Jeppiar Nagar,
Semmanchery, Chennai 600 119

Respondent(s)

WP No. 9389 of 2025

1. A.Barani
S/o Angappan No 259, River Street,
Kattamuthupalayam Post, Panruti
Taluk, Cuddalore District

Petitioner(s)

Vs

1. The Deputy Commissioner Of
Labour (conciliation)-I
Irungattukottai, Sriperumputhur.

2.The Management
Sathyabama University, Rajivganthi
Road (omr), Jeppiar Nagar,
Semmanchery, Chennai 600 119

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Respondent(s)

WP No. 9388 of 2025

1. R.Gnanaprakasam,
S/o Rajagopal, No 162, Gangai Amman
Koil Street, Periyanatham Village,
Melperanallur Post, Kanchipuram
District

Petitioner(s)

Vs

1. The Deputy Commissioner Of
Labour (conciliation)-I
Irungattukottai, Sriperumputhur.

2.The Management
Sathyabama University, Rajivganthi
Road (omr), Jeppiar Nagar,
Semmanchery, Chennai 600 119

Respondent(s)

WP No. 9387 of 2025

1. P.Loganathan
S/o Parthasarathi, Mettu Street, Sevur
Post, Arani Taluk, Tiruvannamalai
District

Petitioner(s)

Vs

1. The Deputy Commissioner Of
Labour (conciliation)-I
Irungattukottai, Sriperumputhur.

2.The Management

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Sathyabama University, Rajivganthi
Road (omr), Jeppiar Nagar,
Semmanchery, Chennai 600 119

Respondent(s)

WP No. 9386 of 2025

1. P. Ayyamuthali
S/o Periyathambi No 524, Erikkarai,
Ganthi Nagar, Solinganallur, Chennai
600 119

Petitioner(s)

Vs

1. The Deputy Commissioner Of
Labour (conciliation)-I
Irungattukottai, Sriperumputhur.

2.The Management
Sathyabama University, Rajivganthi
Road (omr), Jeppiar Nagar,
Semmanchery, Chennai 600 119

Respondent(s)

WP No. 9382 of 2025

PRAYER

Call for the impugned proceedings of the 1st respondent authority in Na.Ka. No 89/ 2024 dated 26.04.2024 by declining to refer the industrial dispute raised by the petitioner under section 2(A) of the Industrial Disputes Act 1947 and consequently direct the 1st respondent authority to issue failure report under section 12 (4) of Industrial Disputes Act.

WP No. 9396 of 2025

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PRAYER

Call for the impugned proceedings of the 1st respondent authority in Na.Ka. No 90/ 2024 dated 26.04.2024 by declining to refer the industrial dispute raised by the petitioner under section 2(A) of the Industrial Disputes Act 1947 and consequently direct the 1st respondent authority to issue failure report under section 12 (4) of Industrial Disputes Act and to pass

WP No. 9389 of 2025

PRAYER

Call for the impugned proceedings of the 1st respondent authority in Na.Ka. No 94/ 2024 dated 26.04.2024 by declining to refer the industrial dispute raised by the petitioner under section 2(A) of the Industrial Disputes Act 1947 and consequently direct the 1st respondent authority to issue failure report under section 12 (4) of Industrial Disputes Act.

WP No. 9388 of 2025

PRAYER

Call for the impugned proceedings of the 1st respondent authority in Na.Ka. No 91/ 2024 dated 26.04.2024 by declining to refer the industrial dispute raised by the petitioner under section 2(A) of the Industrial Disputes Act 1947 and consequently direct the 1st respondent authority to issue failure report under section 12 (4) of Industrial Disputes Act.

WP No. 9387 of 2025

PRAYER

Call for the impugned proceedings of the 1st respondent authority in Na.Ka. No 92/ 2024 dated 26.04.2024 by declining to refer the industrial dispute raised by the petitioner under section 2(A) of the Industrial Disputes Act 1947 and consequently direct the 1st respondent authority to issue failure report under section 12 (4) of Industrial Disputes Act.

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WP No. 9386 of 2025

PRAYER

Call for the impugned proceedings of the 1st respondent authority in Na.Ka. No 93/ 2024 dated 26.04.2024 by declining to refer the industrial dispute raised by the petitioner under section 2(A) of the Industrial Disputes Act 1947 and consequently direct the 1st respondent authority to issue failure report under section 12 (4) of Industrial Disputes Act.

In all Writ Petitions

For Petitioner(s): S.Parthasarathi

For Respondent(s): Mr. K. Surendren,
Additional Government Pleader
For R1
R2 - Ndw

COMMON ORDER

These Writ Petitions have been filed challenging the communications dated 26.04.2024 issued by the first respondent/Deputy Commissioner of Labour to the petitioners.

2. The petitioners who have joined on various dates and various post challenged the deputation order issued by the second respondent Management through their trade union and raised Industrial Disputes in this regard. Since the deputation order passed by the second respondent Management was only for the

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limited period, the petitioners have approached the second respondent Management to provide employment but the same was orally denied by the Management. It is pertinent to note that none of the employees joined in the deputation station instead they have challenged the same by way of Industrial Disputes. The petitioners have raised Industrial Disputes challenging non-employment and has approached the first respondent/Deputy Commissioner of Labour. The first respondent, by impugned communication dated 26.04.2024, closed the petitions stating that the Industrial Dispute under Section 2A(1) does not arise as the same can be invoked when the employer discharges, dismisses, retrenches, or otherwise terminates the services of an individual workman. Moreover, the first respondent has also stated that the workmen has suppressed the factor of the pending proceedings before the Labour Court filed on behalf of the Trade Union and that the factor that the deputed employees did not join the place of the deputation. Without waiting for the result of the Industrial Disputes, the workmen has approached the first respondent and citing the above reason, the first respondent closed the petitions submitted on behalf of the deputed workmen.

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3. Though very many grounds have been raised on behalf of the petitioners, when these matters are taken up for hearing, the learned counsel appearing for the petitioners submits that this Court, without going into the merits of the case, may direct the Labour Court, Kanchipuram to dispose of I.D.Nos.145 of 2019 and 17 of 2020 within a reasonable time fixed by this Court.

4. Heard the learned counsel appearing for the petitioners and the learned Additional Government Pleader appearing for the first respondent.

5. Considering the limited request made by the learned counsel appearing for the petitioners, this Court, without interfering with the impugned communication dated 26.04.2024 issued by the first respondent, directs the Labour Court, Kanchipuram, to dispose of I.D.Nos.145 of 2019 and 17 of 2020 within a period of three months from the date of receipt of a copy of this order.

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6. Accordingly, these Writ Petitions are disposed of. There shall be no order as to costs.

18-03-2025

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No
ssb

To
1.The Deputy Commissioner Of Labour
(conciliation)-I
Irungattukottai, Sriperumputhur.

2.The Management
Sathyabama University, Rajivganthi
Road (omr), Jeppiar Nagar,
Semmanchery, Chennai 600 119

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M.DHANDAPANI J.

ssb

WP No. 9382 of 2025 AND WP NO. 9396 OF 2025,WP NO. 9389 OF 2025,WP NO. 9388 OF 2025,WP NO. 9387 OF 2025,WP NO. 9386 OF 2025

18-03-2025

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