



W.P.No.32817 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2025

CORAM :

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

W.P.No.32817 of 2016

and

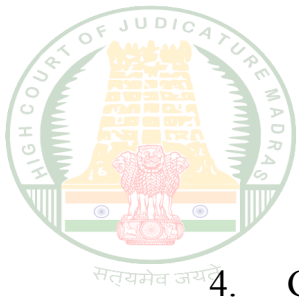
WMP.Nos.28371 of 2016 & 29972 of 2019

Tamil Nadu General Workers Union,
Chennai Airport Contract Workers Unit
(ASR Cargo Employees Division)
Represented by General Secretary, Regn.No.289/CPT,
K.T.K.Thangamani Illam,
2/1, Kovur Vaidyanathan Street,
Chintadripet, Chennai – 600 002.

...Petitioner

Vs.

1. Government of India,
Rep. by its Secretary,
Ministry of Labour and Employment Department,
Rafi Marg, New Delhi.
2. The Assistant Labour Commissioner (Central),
O/o. The Deputy Chief Labour Commissioner (Central),
No.4, Haddows Road, Shastri Bhavan,
Chennai – 600 006.
3. Airports Authority of India,
Rep. by its Airport Director,
Chennai Airport, Meenambakkam,
Chennai – 600 027.



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4. Godrej Efacec – Southern Region,
Rep. by its Manager,
C/o. ASRS, AAI, Cargo-Import,
Chennai Airport, Chennai – 600 027.

5. Ratna Engineering,
Rep. by its Manager,
P.No.4, D.No.85-26-8 RTC Colony,
Rajhamundry, East Godhavari District,
Andhra Pradesh – 533 103.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, the respondents No.3 to 5 from altering the service conditions of the members of the petitioner union whose names are given in the Annexure to the Writ Petition in any manner including discontinuance of service or failing to provide employment in any manner without getting permission under Section 33 of the Industrial Disputes Act, 1947, in the Industrial Disputes dated 26.08.2016 raised by the petitioner union regarding absorption of services of the employees, wages revision and other charter of demands which are pending conciliation before the 2nd respondent as dispute No.M8(15)/2016-B3 and further direct the 2nd respondent to conciliate and effect settlement and if no settlement is forthcoming to submit failure report under Section 12(4) of the Industrial Disputes Act and in turn direct the 1st respondent to refer the dispute for adjudication before the competent Industrial Adjudicator and pass such further orders.



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For Petitioner : Mr.Balan Haridass

For Respondents : Mr.R.Rajesh Vivekananthan, for R1 & R2
: Dr.Fr.Xavier Arulraj,
for M/s.A.Arul Mary, for R3

ORDER

When the matter was taken up for hearing, the learned counsel appearing on behalf of the 3rd respondent submitted that though the petitioner has come up with this Writ Petition seeking to restrain the respondents 3 to 5 from altering the service conditions of the members of the petitioner union in any manner including discontinuance of service or failing to provide employment in any manner without getting permission under Section 33 of the Industrial Disputes Act, 1947 and to further direct the 2nd respondent to conciliate and effect settlement and if no settlement is forthcoming to submit failure report under Section 12(4) of the ID Act and in turn direct the 1st respondent to refer the dispute for adjudication before the competent Industrial Adjudicator, however, pending writ petition, the dispute was settled in between the parties on 17.08.2017 and the same was also communicated to the Deputy Chief Labour Commissioner (Central), vide communication dated 14.09.2017



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2. In view of the above, no further adjudication is required in this Writ petition and accordingly, this Writ petition stands closed with a liberty to the petitioner to workout the remedy in the manner known to law in respect of the regularisation. No costs. Consequently, the connected Miscellaneous petitions are closed.

19.03.2025

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Index	: Yes / No
Speaking order	: Yes / No
NCC	: Yes / No



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