



WEB COPY

WP No. 19348 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-05-2025

CORAM

THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI

WP No. 19348 of 2025

AND

WMP NO. 21600 OF 2025

MADRAS RUBBER FACTORY

Limited (MRF)

Represented By Its Authorised

Signatory / General Manager, Mr. Jose

Alphonse

Petitioner

Vs

1. Union Of India,
Rep. By The Secretary to the
Government, Labour Department,
Puducherry.

2.The Commissioner Of Labour,
Cum - Certifying Officer For The
Union Territory Of Puducherry Under
Industrial Employment (standing
Orders) Act 1946,
Labour Department, Puducherry.



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3.The Labour Officer (Conciliation),
Labour Department Puducherry.

Respondents

PRAYER:- Writ Petition filed under Art. 226 of Constitution of India, praying to issue a Writ of Certiorari to call_for the records pertains to the impugned Modification order No.1of 2025 /247 in Standing Order No.4 of 2003 dated 07/05/2025 passed by the 2nd respondent and quash the same, as illegal.

For Petitioner: Mr.P.K.Harinath Babu

For Respondents: Mr.A.Tamilvanan,
Addl. Govt. Pleader (Pondy)
for R1 to R3

ORDER

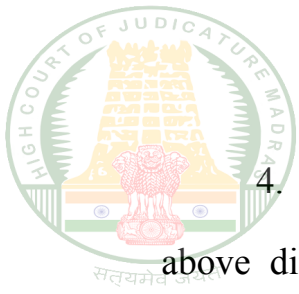
This Writ Petition has been filed seeking to quash the impugned Modification Order No.1 of 2025/247 in Standing Order No.4 of 2003 dated 07.05.2025 passed by the 2nd respondent.

2. On receipt of representations made by the trade union, the 2nd respondent issued notice dated 10.03.2025 to the petitioner company, for which,



the petitioner had given a reply dated 11.04.2025 to the 2nd respondent, in which the petitioner company had taken the stand that the retirement age of 55 years is in force since the year 2003 and if it is increased, it would have further financial burden on the petitioner company and it is also against the terms of 12(3) settlement dated 13.12.2024. But without considering the valuable objections of petitioner company, the 2nd respondent had passed the impugned modification order without assigning any reasons and enhanced the retirement age from 55 years to 58 years. Aggrieved over the same, the petitioner company had filed this Writ Petition.

3. On perusal of records, it reveals that already a long term wage settlement was arrived between the petitioner company and the Employees Trade Unions on 13.12.2024, wherein clause 52.1 of 12(3) settlement provides that during the settlement period, there shall not be further demand for financial benefits other than the existing benefits. Now the further demand of employees trade union to modify the clause 35 of the certified standing order to increase retirement age from 55 to 58 years would amount to violation of said clause. Hence, the reasons assigned by the petitioner company is justifiable one. Accordingly, the impugned modification order passed by the 2nd respondent is ordered to be quashed and the 2nd respondent is directed to consider the objections given by the petitioner company dated 11.04.2025 and dispose the same on merits within a period of eight weeks from the date of receipt of copy of this order.



4. In the result, the present Writ Petition stands disposed of with the above direction. No costs. Consequently, the connected Writ Miscellaneous Petition is closed.

28-05-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

rpp/mjs

To

1. The Secretary To The Government,
Union Of India,
Labour Department, Puducherry.

2. The Commissioner Of Labour,
Cum - Certifying Officer For The
Union Territory Of Puducherry Under
Industrial Employment (standing
Orders) Act 1946,
Labour Department, Puducherry.

3. The Labour Officer (Conciliation),
Labour Department Puducherry.

4. The Public Prosecutor,
High Court, Madras



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T.V.THAMILSELVI J.

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