



W.P. No.25239 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

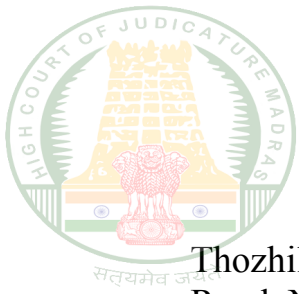
DATED: 21.07.2025

CORAM

THE HONOURABLE Mr. JUSTICE P.DHANABAL

W.P. No.25239 of 2022
and W.M.P. No.24192 of 2022

1. Coimbatore and Periyar District
Dravida Panchalai Thozhilalar Munnetra Sangam,
Regd. No.2658,
represented by its General Secretary,
No.69, Tatabad Street,
No.3, Coimbatore - 641 012.
2. The Coimbatore District Textile Workers' Union
Regd. No.111/1938,
represented by its President,
No.2212, Trichy Road, Singanallur,
Coimbatore - 641 005.
3. Coimbatore District Mill Workers' Union,
affiliated to AITUC,
Regd. No.84,
represented by its General Secretary,
99, Rangan Street, Kattoor,
Coimbatore - 641 009.
4. National Textile Workers' Union
Regd. No.1454,
represented by its General Secretary,
1848, Trichy Road, Ramanathapuram,
Coimbatore - 641 0145.
5. Coimbatore District Anna Panchalai



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Thozhilalar Sangam,
Regd. No.1102,
represented by its President,
No.108, Grey Town,
Coimbatore - 641 018.

6. Coimbatore District Mill Labour Union,
Affiliated to CITU,
Regd. No.78,
381/27, Anuppar Palayam,
Coimbatore - 641 009.

7. Covai Mandala Panchalai Thozhilalar Sangam,
Affiliated to (NDLF),
represented by its General Secretary,
Regd. No.1300,
15, AKS Nagar Extension,
Rakkipalayam, Coimbatore - 641 031.

8. Dr. Ambedkar Desia Panchalai Thozhilalar Sangam
Affiliated to (Dr.Ambedkar Union),
Regd. No.657 / CBE,
represented by its President,
A-423, Vetrivinayagar Koil Street,
Ganapathy Maa Nagar,
Coimbatore - 641 006.

.. Petitioners

vs.

1. Union of India,
represented by its Secretary,
Ministry of Labour - I,
Ministry of Textiles,
Udyog Bhavan, New Delhi.

2. Government of Tamil Nadu



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represented by its Secretary,
Department of Textiles,
Namakkal Kavignar Maaligai,
Fort St. George, Chennai -600 009.
[deleted as per order dated 22.11.2023 in
W.M.P. No.19693 of 2023 in
W.P. No.25239 of 2022]

3. National Textile Corporation Ltd.,
represented by its Chairman,
Core IV Scope Complex,
7, Lodhi Road,
New Delhi - 110 003.

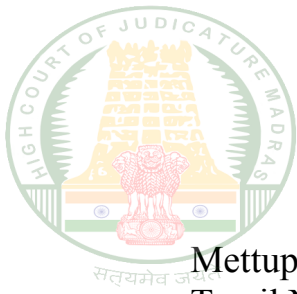
4. Pankaja Mills,
represented by its General Manager,
No.30, Pankaja Mill Road,
Ramanathapuram - 641 045.

5. The Cambodia Mills,
represented by its General Manager,
Post Box No.3504, Trichy Road,
Ondipudur, Coimbatore - 641 016.

6. Sri Rangavilas Spinning, Ginning and
Weaving Mills,
represented by its General Manager,
333, Avinashi Road,
Peelamedu, Coimbatore - 641 004.

7. Coimbatore Spinning and Weaving Mills,
represented by its General Manager,
Mill Road, Coimbatore,
Tamil Nadu - 641 001.

8. The Coimbatore Murugan Mills,
represented by its General Manager,



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Mettupalayam Road, Coimbatore,
Tamil Nadu 641 043.

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9. Pioneer Spinners,
represented by its General Manager,
Kamudakudi, Paramakudi Taluk,
Ramanathapuram - 623 719.

10. Kaleeswara Mills 'B' Unit,
represented by its General Manager,
P.O. Bag No.2, Sivagangai District,
Kalayarkoil - 630 551.

.. Respondents

PRAYER: The Writ petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus directing the 1st respondent to take appropriate action against the 3rd respondent for violation of provisions of Chapter V B of Industries Disputes Act and further direct the 3rd respondent to resume manufacturing operations and prepare a scheme of revival for the subject textile mills with full participation of the petitioners herein.

For Petitioner : Mr. V. Prakash, Senior Advocate
for Mr. R. Vignesh

For Respondent : Mr. L.S.M. Hasan Fizal,
Additional Government Pleader
[for R2]

Mr. K. Srinivasa Murthy, SP CGI
[for R1]

Mr. R. Shivakumar for
M/s. K.M. Vijayan Associates



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[for R3 to R10]

ORDER

This Writ petition has been filed to issue a Writ of Mandamus directing the 1st respondent to take appropriate action against the 3rd respondent for violation of provisions of Chapter V B of Industries Disputes Act and further to direct the 3rd respondent to resume manufacturing operations and prepare a scheme of revival for the subject textile mills with full participation of the petitioners herein.

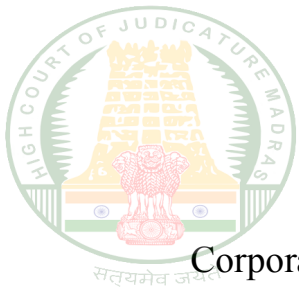
2. The learned Senior counsel for the petitioner would submit that the 1st petitioner is a Registered Union and the petitioners represent the Textile workers of the Coimbatore District. The petitioner's Union also represent the overwhelming majority of the workers employed in the various textiles namely 4 to 10 respondents herein. The workers of the respondents 4 to 10 were originally owned by private parties, but were taken over by the Government of Tamil Nadu through its instrumentality namely Tamil Nadu Textile Corporation. All the respondent Mills were taken over by Sick Textile Undertakings (Nationalisation) Act, 1974 and the 1st respondent became the employer of the workers. Each of the factories employs more



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than 100 workers. By virtue of Section 11A of Sick Textiles Undertaking (Nationalization) Act, 1974, 123 mills were closed and their assets are now vested in the 3rd respondent Corporation. The National Textile Corporation has enough land and other assets and is now only having 23 mills. Seven of the said mills are in Coimbatore. Due to pandemic COVID-19, the Government of India declared a lock down and therefore, the mills ceased to operate from 23.03.2020. Despite the order of Central Government, relaxing the lock down conditions and permitting the industries to resume functioning from 18.05.2020, the subject Textile Mills did not resume functioning and the workers were also not paid full wages from the period of 24th March to 17th May 2020 and they were paid half wages from 18th May to continuously till date. Therefore, the petitioners have made representations to the 3rd respondent on various dates from 22.05.2020 to 29.12.2020. The cessation for operation of these mills amount to 'lay off' which have been declared without prior permission of the appropriate Government namely the 1st respondent. The respondents 1 and 2 are fully aware of the situation pertaining to National Textiles Corporation and the plight of the workers in Coimbatore, however, no action was taken on the representation of the petitioners and also no action was taken against the National Textiles

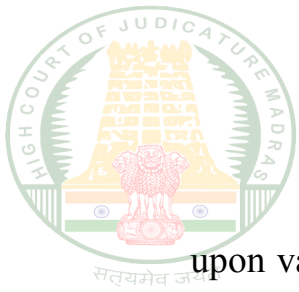


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Corporation, who is in violation of provision of the Industrial Disputes Act.

Therefore, the petitioners have filed this Writ petition.

3. The learned counsel appearing for the respondents 3 to 10 would submit that the issue of revival was raised by one of the recognized associations by name Desiya Panchalai Kazhaga Thozhilnutpa Matrum Nirvaga Paniyalargal Munnetra Sangam in W.P. No.35170 of 2019 and the same was disposed of on 22.10.2022 by directing the 3rd respondent to consider the representation in respect of revival within the time frame. The said representation was considered by the Ministry of Textiles and detailed official Memorandum dated 16.03.2022 was issued. The present status of the mills which covered the petitioners herein also and therefore, the prayer of the Writ petition has become infructuous. The averment of the illegal lock out / lay off was stoutly denied as such there is no lock out or lay off and only the production was suspended due to the reasons assigned in the Official Memorandum dated 16.03.2022. The petitioners have no locus standi to challenge the decision of the Management in respect of suspension of production. In respect of wages, the petitioners admitted that till date wages are dispersed and only dispute is in respect of quantum. The wages depend



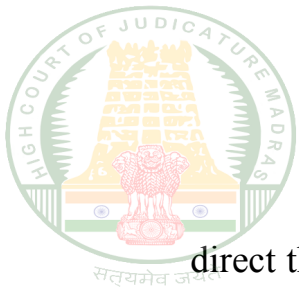
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upon various factors and if there is any grievance, the same can be ventilated only under Section 33C(V) of The Industrial Disputes Act for the computation of the wages. One of the recognized Trade Union by name Desiya Panchalai Kazhaga Thozhilnutpa Matrum Nirvaga Paniyalargal Munnetra Sangam applied application in C.P. No.5/2020 to C.P. No.11/2020 before the Central Government Industrial Tribunal cum Labour Court, Chennai under Section 33C(V) of the Industrial Disputes Act and the same is pending for adjudication. At any point of time, either the 3rd respondent or the other respondents 4 to 10 violate any provisions of Industrial Disputes Act and the order of suspension of operations which will not affect any members of the petitioner Union. The revival of the mills is under the active consideration before the Ministries concerned. However, the wages of the workers of the above said mills will be settled as early as possible within 6 months as already steps were initiated by the appropriate authorities. Therefore, prayed to dismiss the Writ petition.

4. Heard both sides and perused the entire materials available on record.

5. In this case, the petitioners have filed the present Writ petition to



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direct the 1st respondent to take appropriate action against the 3rd respondent for violation of provisions of Chapter V B of Industries Disputes Act and further direct the 3rd respondent to resume manufacturing operations and prepare a scheme of revival. There is no dispute that the Mills are not functioning after COVID-19 pandemic. According to the respondent, they paid wages to the workers. According to the petitioners, no full wages were paid to them and the same is not denied by the respondent.

6. As far as revival is concerned, it is pending with the Government and the Government has to take necessary steps. Considering the arguments of the learned counsel appearing for the respondents 3 to 10, that they have taken steps to dispose of the properties in other places and fully settle the amount after completion of the sale of the properties. Therefore, accepting the above said arguments of the learned counsel appearing for the respondents 3 to 10, this Court is inclined to grant time to the respondents to settle the amounts within **6 (six) months** from the date of this order.

7. With the above said directions, this Writ petition is *disposed of*.



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There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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Index : Yes/No.
Speaking order/non-speaking order
mjs

To

1. Union of India,
represented by its Secretary,
Ministry of Labour - I,
Ministry of Textiles,
Udyog Bhavan, New Delhi.

2. Government of Tamil Nadu
represented by its Secretary,
Department of Textiles,
Namakkal Kavignar Maaligai,
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3. National Textile Corporation Ltd.,
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P. DHANABAL, J.,



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