



W.P.No.24641 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2025

CORAM :

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

W.P.No.24641 of 2021

and

WMP.No.25918 of 2021

Dynamatic Technologies Limited,
Rep. by its Manager-Administration and Welfare,
Dynamatic Park, Peenya,
Bengaluru, Karnataka – 560 058.

...Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary,
Labour and Employment Department,
Fort St. George, Chennai – 600 009.

2. United Labour Federation,
Regn.No.2657/CNI,
Represented by its General Secretary,
C.J. Complex, 4th Floor,
No.149, Thambu Chetty Street,
Chennai – 600 001.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari to call for the records on the file of the 1st respondent and quash G.O.(D) 391, Labour and Employment dated 10.07.2017.



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For Petitioner : Mr.M.Vijayan
for M/s.Kings and Partridge

For Respondents : Mr.K.Surendran, AGP, for R1
: Mr.S.Gokul, for R2

ORDER

This Writ Petition has been filed seeking quashment of the G.O.(D).391, Labour and Employment dated 10.07.2017 on the file of the 1st respondent.

2. Heard the learned counsel on either side and perused the materials available on record.

3. A perusal of the materials available on record particularly the impugned order reveals that, vide the impugned G.O., the Government had referred the dispute between the petitioner and the 2nd respondent herein. The basis for passing the impugned Government order is the direction given by this Court in W.P.No.14917 of 2016, wherein this Court had directed the Government to refer the dispute to the jurisdictional Labour Court within a period of eight weeks from the date of receipt of a copy of this order and only in compliance with the said order of this Court, the 1st respondent had passed the present impugned Government order referring the various demands made by the 2nd respondent Union for determination by the Labour Court. After the



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impugned order was passed, the Labour Court had taken the same on file as

I.D.No.289 of 2017 on the file of the Principal Labour Court, Chennai and later it was transferred to Labour Court, Kancheepuram and re-numbered as I.D.No.646 of 2018.

4. As noted above, the basis for passing the said Government order is the specific direction passed by this Court. The petitioner has not filed any appeal against the said direction; obtained a positive order or stay of the said direction. Having remained quiet and accepted the order in W.P.No.14917 of 2016, it is not fair on the part of the petitioner to accuse the Government. The tone and terror of the language used by the petitioner in the affidavit filed in support of this Writ petition is condemnable. Particularly, in paragraph No.4 of the affidavit, the petitioner has stated that the impugned reference is the outcome of total non-application of mind and the petitioner has also stated that the Government is not supposed to act as a Post office. Indeed, the act of the petitioner is despicable. The Government has passed the said G.O. only based on the direction given by this Court. Having chosen not to file any appeal against the same, it is totally unfair on the part of the petitioner to have used words like total non-application of mind. It is not known whether the petitioner is indirectly accusing this Court. The petitioner is warned at its behaviour.



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5. This Court does not find any merits in the present Writ petition and therefore, this Court is not inclined to interfere with the order impugned.

However, the petitioner is at liberty to canvass all its points before the Labour Court, Kancheepuram in I.D.No.646 of 2018 and the Labour Court shall dispose of the said dispute within a period of three months from the date of receipt of a copy of this order, after affording an opportunity of hearing to the parties and without being influenced by any of the observations made in this Writ petition.

6. Accordingly, this Writ petition stands dismissed with the aforestated liberty. No costs. Consequently, the connected miscellaneous petition is closed.

29.04.2025

skt

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

To

1. The Secretary,
State of Tamil Nadu,
Labour and Employment Department,
Fort St.George, Chennai – 600 009.

2. The Labour Court,
Kancheepuram.

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M.DHANDAPANI, J.

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