

W.P.No.29129 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 06.08.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.29129 of 2025

All India Overseas Bank Employees' Union
Rep. By Its General Secretary
No.763, Anna Salai,
Chennai-600 002.

... Petitioner

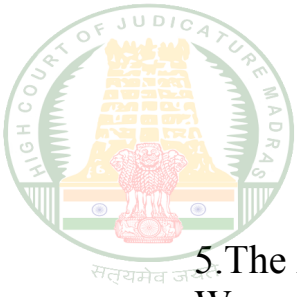
Vs.

1.State Of Tamil Nadu
Rep. By Its Principal Secretary to Government,
Ministry Of Labour And Employment
Secretariat, Fort St.Geroge,
Chennai-600 009.

2.The Registrar Of Trade Union
Joint Commissioner Of Labour-I,
D.M.S. Complex Teynampet,
Chennai-600 006.

3.The Assistant Commissioner Of Labour-I
Wavoo Mansion 48/39,7th Floor,
Rajaji Salai, Chennai-600 001.

4.The Registrar Of Trade Union,
Joint Commissioner Of Labour-II,
D.M.S. Complex Teynampet,
Chennai-600 006.



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5. The Assistant Commissioner Of Labour-II
Wayoo Mansion 48/39, 7th Floor,
Rajaji Salai, Chennai-600 001.

6.P.Sasikumar

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the 4th and the 5th respondent to conduct a fair enquiry on the basis of the objection raised in the representations on 16.04.2025, 12.05.2025 and 09.06.2025 with regard to the registration of trade union.

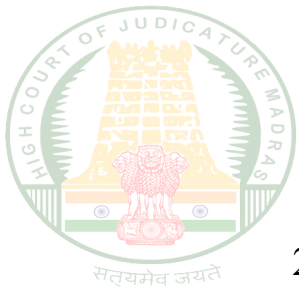
For Petitioner : M/s.C.Emalias

For Respondent : M/s.M.Murali, Govt. Advocate
for R.1 to R.5.

ORDER

The above Writ Petition is filed for the following reliefs:-

" directing the 4th and the 5th respondent to conduct a fair enquiry on the basis of the objection raised in the representations on 16.04.2025, 12.05.2025 and 09.06.2025 with regard to the registration of trade union."



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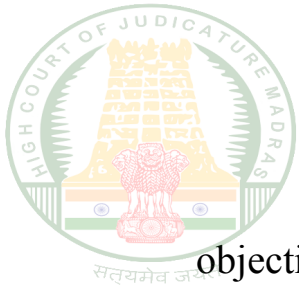
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2. The petitioner would submit that the Petitioner Union is a registered Union representing the majority of employees working in the Indian Overseas Bank, with 7520 members from all over India. The Petitioner Union is functioning in all the 28 States.

3. The petitioner would submit that the 6th Respondent had applied for registration of a new Trade Union, namely, “Indian Overseas Bank Workers’ Union (IOBWU)” with the 2nd Respondent. The petitioner would submit that the proposed union does not meet the minimum membership requirement as prescribed under section 4 of the Trade Union Act.

4. The Petitioner would submit that from a reliable source they have come to learn that the 6th respondent had presented the names of the members of the petitioner union without authorization showing that they are the members of the proposed trade union.

5. The petitioner would submit that after knowing the above fact, the Petitioner Union had submitted a representation to the 4th & the 5th Respondents on 16.04.2025, 12.05.2025 & 09.06.2025



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objecting to the registration of a new trade union applied by the 6th Respondent on the ground that the 6th Respondent is showing the members of the Petitioner Union as his members.

6. Thereafter, the Petitioner Union was summoned to submit the list of membership of the Petitioner Union by the 5th Respondent and the Petitioner Union had submitted the same vide letter dated 09.06.2025. However, to date, no fair enquiry has been conducted by the 4th and the 5th respondent based on the representations submitted by the petitioner. Therefore, the petitioner is before this Court.

7. Heard the learned counsel on either side.

8. Considering the fact that the respondents 4 and 5 are duty bound to conduct a fair enquiry before registering a new trade union, the Writ Petition is allowed and the respondents 4 and 5 are directed to conduct a fair enquiry on the basis of the objection raised by the petitioner in the representations dated 16.04.2025, 12.05.2025 & 09.06.2025 with regard to the registration of a new trade union, namely, “Indian Overseas Bank Workers’ Union (IOBWU)” after



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giving all the interested parties a personal hearing and thereafter pass a speaking order within a period of 3 months from the date of receipt of a copy of this order. No costs.

06.08.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

1.The Principal Secretary to Government of Tamil Nadu
Ministry of Labour and Employment,

5/7



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Secretariat,
Fort St.George,
Chennai - 600 009.

2.The Registrar Of Trade Union
Joint Commissioner Of Labour-I,
D.M.S. Complex Teynampet,
Chennai-600 006.

3.The Assistant Commissioner Of Labour-I
Wavoo Mansion 48/39,7th Floor,
Rajaji Salai, Chennai-600 001.

4.The Registrar Of Trade Union,
Joint Commissioner Of Labour-II,
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P.T. ASHA. J.,

(shr)

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