



WEB COPY

WP No. 35336 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 35336 of 2024

1. Caterpillar India Workers Union
Regn.No.CPT / 414 Rep. by Its General
Secretary Mr. B. Gokul Melnallathur
Village Thiruvallur 602 002

Petitioner(s)

Vs

1. The Government Of Tamilnadu
Rep. by Its Secretary Department Of
Labour And Employment Fort St
George, Chennai 600 009

2.The Deputy Commissioner Of Labour
- Conciliation II
Kuralagam, Chennai 600 108

3.M/s. Caterpillar India Private Limited
Rep. By Its Managing Director
Melnallathur Village Thiruvallur 602
002

Respondent(s)



PRAYER

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus Directing the 1st respondent to take action on the complaint of the petitioner dated 21.07.2023 complaining of the unfair labour practices committed by the 3rd respondent management by authorizing the prosecution of the complaint within such time as stipulated by this Court.

For Petitioner(s): V.Prakash (p-in-p)

For Respondent(s): Mr.K.Surendran Agp For RR1
and 2
Ms. S.B. Keerthana For
M/s.Agam Legal Advocate for
R3

ORDER

This writ petition has been filed seeking to direct the 1st respondent to take action on the complaint of the petitioner dated 21.07.2023 complaining of the unfair labour practices committed by the 3rd respondent management by authorizing the prosecution of the complaint within such time as stipulated by this Court.

2. It is the case of the petitioner that the third respondent, a major multinational company with a factory in Thiruvallur employing over 3,000



workers, has historically negotiated wage settlements with the petitioner union, the sole recognized union at the facility. The last agreement expired in 2018.

WEB COPY

When the Union submitted new wage demands for 2019-2022 and 2023-2025, the management refused to negotiate, citing that the Union's office bearers were not current employees. Instead, the company allegedly coerced individual workers into signing settlements under Section 18(1) of the Industrial Disputes Act. The Union filed a complaint on 21.07.2023, alleging unfair labour practices. A preliminary inquiry was conducted and a report to that effect has been forwarded by the second respondent to the first respondent, but no further action has been taken, prompting the filing of the present writ petition.

3. Though very many grounds have been raised the present writ petition, the petitioner / party-in-person submitted that it would suffice if this Court issues a direction to the first respondent to pass appropriate orders on the report submitted by the second respondent, if any within the time frame that may be fixed by this Court.



4. Heard the learned counsel appearing on either side and perused the materials placed on record.

WEB COPY

5. Considering the limited request sought for by the petitioner, this Court without going into the merits of the case directs, the first respondent to consider and pass appropriate orders on the report if any submitted by the second respondent on merits and in accordance with law and after affording an opportunity of personal hearing to the petitioner as well as the third respondent within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. With the above observation, this writ petition is disposed of. No costs.

15-04-2025

RAP

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



WP No. 35336 of 2024



To

WEB COPY

1.The Government Of Tamilnadu

Rep. By Its Secretary Department Of
Labour And Employment Fort St
George, Chennai 600 009

2.The Deputy Commissioner Of Labour
- Conciliation Ii
Kuralagam, Chennai 600 108



WEB COPY

WP No. 35336 of 2024



M.DHANDAPANI J.

RAP

WP No. 35336 of 2024

15-04-2025