



WEB COPY



W.P.No.30012 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.08.2025

CORAM:

THE HONOURABLE Ms. JUSTICE P.T.ASHA

W.P.No.30012 of 2025

Renault Nissan India Thozhilalar Sangam

Rep. By its Secretary,

Reg.No.TVR/501, 4thFloor,

CJ Complex,149,Thambu Chetty Street,

Chennai-600 001

.... Petitioner

Vs.

1. The Registrar of Trade Unions (Joint
Commissioner of Labour),
DMS Compound, Teynampet,
Chennai 600 606.

2. The Management of Renault Nissan India
Private Limited,
Plot No.1, SIPCOT Industrial Park,
Uragadam, Kancheepuram District 602 105

... Respondents



W.P.No.30012 of 2025

WEB COPY

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the 1st respondent herein to ensure the conduct of the election of the petitioner Union to be held in August 2025 by overseeing the same or deputing any competent official for the said purpose.

For Petitioner : Mr.V.Prakash, Senior Counsel
for Maithreyi Canthaswamy Sharma

For Respondent-1 : Mr.M.Murali
Government Advocate

For Respondent-2 : Mr.Sai Prasad
for M/s.Sai Raaj Associates

ORDER

The petitioner Union has filed the present writ petition seeking for a direction to the 1st respondent to ensure the conduct of the election of the petitioner Union to be held in the month of August, 2025, by overseeing the same.



W.P.No.30012 of 2025

WEB COPY

2. It is the case of the petitioner-Union that they elect their office bearers once in 3 years as per the Bye-laws of the Union. On an earlier occasion, this Court had appointed Mr.Justice V.Parthiban, a retired Judge of this Court to conduct the election for the office bearers and Executive Committee of the Petitioner-Union. Accordingly, an election was held by secret ballot and the office bearers including the petitioner herein were elected in the said election. The petitioner would further submit that the term of office for the said office bearers expires in August 2025. Therefore, the petitioner-Union gave a representation to the Management on 31.07.2025, who also has given “No Objection” for the conduct of the election by its letter dated 31.07.2025. Thereafter, the petitioner approached the 1st respondent on 01.08.2025 for deputing an official to oversee the election of the office bearers and Executive Committee in 2025. Since there is no effective and alternative remedy, the petitioner has moved this Court by way of this Writ Petition.



W.P.No.30012 of 2025

WEB COPY

3. Mr.V.Prakash, learned Senior Counsel for the petitioner Union would submit that on earlier occasion, this Court had appointed a Retired Judge of this Court, as the Returning Officer to conduct elections in a transparent and fair manner. The term of office of the present office bearers will come to end by August 2025. Therefore, the petitioner-Union has passed a Resolution to conduct elections to elect the office bearers of the petitioner Union and one of the resolutions is that a retired Judge of High Court be nominated to conduct the election fairly and there should not be any complaint of unfairness in the conduct of election and that the election be conducted strictly in accordance with the bye-laws. Therefore, the learned Senior Counsel for the petitioner seeks for appointment of a retired Judge of this Court to oversee and supervise the conduct of election of the office bearers of the petitioner Union.



W.P.No.30012 of 2025

WEB COPY

4. Mr.Sai Prasad, learned counsel for the second respondent Management would submit that the second respondent Management has no objection to a Retired Judge of this High Court being appointed and they will provide necessary infrastructure facilities and arrangements required by the Election Officer for conduct of elections to the petitioner Union and the manner of conduct of elections is always vested with the petitioner Union as per the Bye-Laws.

5. Heard the learned counsels on either side and perused the materials available on record.

6. Considering the averments made in the affidavit and taking note of the fact that on an earlier occasion the election was conducted by a retired Judge of this Court to ensure the fair conduct of elections in accordance with the Bye- Laws as stated by the



W.P.No.30012 of 2025

WEB COPY

learned Senior Counsel for the petitioner, this Court passes the following order:

(i) Hon'ble Mr.Justice V.Parthiban, a Retired Judge, High Court of Madras is appointed as the Election Officer to conduct the elections of office bearers of the petitioner Union, scheduled to be held during August, 2025.

(ii) The second respondent Management and the petitioner Union shall render all necessary assistance and infrastructure facilities to the Election Officer and also place the copy of the resolution passed by the petitioner Union including the elected committee members list.



WEB COPY



W.P.No.30012 of 2025

(iii) The petitioner Union shall immediately pay initial remuneration of Rs.4,00,000/- (Rupees Four Lakhs Only) to the Election Officer.

7. The writ petition stands disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

07.08.2025

srn

Note : Issue order copy on 08.08.2025

To

The Registrar of Trade Unions (Joint
Commissioner of Labour),
DMS Compound, Teynampet,
Chennai 600 606.

Copy to:

The Hon'ble Mr.Justice V.Parthiban,
No.5069, Z Block, 12th Street,
AnnaNagar(West).,Chennai-40.



WEB COPY



W.P.No.30012 of 2025

P.T.ASHA, J.,

srn

W.P.No.30012 of 2025

07.08.2025