



W.P.No.5705 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

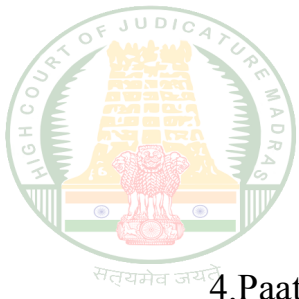
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International Bakery Products Staff and Workers Union,
Rep.by its General Secretary R.Gunasekaran,
No.7-F(29), North Mada Street,
Thiruvottiyur,
Chennai-600 019.

... Petitioner

Vs.

1. The Commissioner of Labour,
DMS, Teynampet,
Chennai-600 006.
- 2.The Joint Commissioner of Labour,
Integrated Labour Department,
Offices Building, Bangalore Road,
Abdulla Puram, I.T.I Campus,
Melmonavoor, Vellore-632 010.
- 3.The Management,
M/s.International Bakery Products Limited,
Pondy-Tindivanam Highway,
14 K.M.Mile Stone,
T.C.Balam-605 111.



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4.Paatali Makkal Katchi Thozhir Sangam,
Rep.by its General Secretary, Mr.Magadevan,
M/s.International Bakery Products Limited,
Pondy-Tindivanam Highway,
14 K.M.Mile Stone, T.C.Balam-605 111.

5.Viduthalai Siruthaigal Katchi Thozhir Sangam,
Rep.by its General Secretary, Mr.Venkatesan,
M/s.International Bakery Products Limited,
Pondy-Tindivanam Highway,
14 K.M.Mile Stone, T.C.Balam-605 111.

6.Thozhilalar Munnetra Peravai,
Rep.by its General Secretary, Mr.Venkatesan,
M/s.International Bakery Products Limited,
Pondy-Tindivanam Highway,
14 K.M.Mile Stone,
T.C.Balam-605 111.

7.Anaithinthia Anna Dravida Munnetra Kazhagam Thozhir Sangam ,
Rep.by its General Secretary, Mr.Sathiyaraj,
M/s.International Bakery Products Limited,
Pondy-Tindivanam Highway,
14 K.M.Mile Stone,
T.C.Balam-605 111.

8.Thea.Mu.Ti.Ka.Thozhir Sangam,
Rep.by its General Secretary, Mr.Jaishankar,
M/s.International Bakery Products Limited,
Pondy-Tindivanam Highway,
14 K.M.Mile Stone,
T.C.Balam-605 111.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the second respondent to hold election as per the letter and advice dated 24.08.2024 to determine the relative strength of all the registered trade unions in the third respondent Company by way of secret ballot to be conducted under the overall supervision of the second respondent within a specified time period as be specified by this Court.

For Petitioner : Ms.P.Gowri
for Mr.G.Muthu

For Respondents : Mr.Surendran
Additional Government Pleader
for R1 and R2

ORDER

This Writ Petition has been filed to direct the second respondent to hold election to determine the relative strength of all the registered trade unions in the third respondent Company by way of secret ballot to be conducted under the overall supervision of the second respondent, by considering the letter dated 24.08.2024 sent by the petitioner Union, within a time period fixed by this Court.



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2. The case of the petitioner is that the petitioner Union is a registered Trade Union and there are several Trade Unions available in the third respondent Company, however, the relative strength of the registered Trade Unions was not determined. Therefore, the petitioner Union has sent a letter on 24.08.2024 to the respondent Nos.1 to 3 to hold election to determine the relative strength of all the registered trade unions in the third respondent Company by way of conducting secret ballot under the supervision of the second respondent, however, the same has not been considered so far. Therefore, the petitioner has filed the present writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that it would suffice, if the second respondent is directed to consider the letter sent by the petitioner Union, dated 24.08.2024 on merits and in accordance with law, within a specified period.



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4. The learned Additional Government Pleader appearing for the respondent Nos.1 and 2 has no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the second respondent to consider the letter dated 24.08.2024 of the petitioner Union and pass appropriate orders, on merits and in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order, after providing an opportunity to all the Trade Unions.

6. With the above direction, this Writ Petition is disposed of.
There shall be no order as to costs.

19.02.2025

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
ssb



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To

1. The Commissioner of Labour,
DMS, Teynampet,
Chennai-600 006.

2. The Joint Commissioner of Labour,
Integrated Labour Department,
Offices Building, Bangalore Road,
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M.DHANDAPANI, J.

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