



WEB COPY

WP No. 43121 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE N. MALA

WP No. 43121 of 2025

Hosur Bata Employees Union (406 / DRP)
Rep. by its General Secretary,
Door No.3/866, A2, 4th Cross,
Amirtha Nagar, Arasanatti, Mookandapalli,
Hosur, Krishangiri District- 635 126.

Petitioner(s)

Vs

1. Government Of Tamil Nadu,
Represented by its Secretary,
Department of Labour and Employment
Fort St. George, Chennai- 600 009.

2.The Assistant Commisioner of Labour
(Concillation), No.18, Sevatha
Gounder Street, Bangalore Road,
Krishnangiri District - 635 001.

3.The Management of Batta India Ltd.,
Rep. by its Assistant Vice President,
Plot No.73 And 74, SIPCOT-I,
SIPCOT Industrial Area, Hosur,
Krishnagiri District- 632 126.

Respondent(s)

Writ petition is filed under Article 226 of the Constitution of India, pleaded to issue Writ of Mandamus, directing the 1st respondent Government to consider and pass appropriate order for reference of the Industrial dispute covered by he Conciliation Failure Report bearing Reference No.Na.Ka.No.A/ 153 dated 13.08.2025 for adjudication under Sec.10(1) of the Industrial Disputes Act, 1947 within a time frame stipulated by this Honourable Court.



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For Petitioner(s): M/s.S.Gokul

For Respondent(s): Mrs.M.Jayanthi,
Additional Government Pleader
for R1 and R2

ORDER

Writ petition is filed for a writ of mandamus, directing 1st respondent to consider and pass appropriate order for referring the Industrial dispute covered by the Conciliation Failure Report bearing Reference No.Na.Ka.No.A/ 153 dated 13.08.2025 for adjudication under Section 10(1) of the Industrial Disputes Act, 1947, within a time frame stipulated by this Court.

2. The petitioner is a recognised Union of the 3rd respondent Factory, at Hosur, which is engaged in the manufacture of high quality shoes, chappals and sandals. While so, the petitioner union raised a dispute before the Assistant Labour Commissioner (Conciliation Officer, Krishnagiri) on 6 grounds. Pursuant to the dispute raised by the petitioner union, conciliation proceedings were conducted by the Assistant Labour Commissioner, Conciliation Officer, Krishnagiri, and since an amicable settlement could not be reached, conciliation officer vide his proceedings dated 13.08.2025, in Na.Ka.No.153 of 2025, submitted a failure report to the Government. Even though three months lapsed, since the submission of the failure report by the conciliation officer, no action was taken, and therefore the petitioner filed the above writ petition for the aforesaid relief.



3. Heard both sides. With the consent of both side counsels, the main writ petition is taken up for final disposal.

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4. As rightly contended by the learned counsel for the petitioner, even though the failure report was submitted by the conciliation officer on 13.08.2025, till date, no action has been initiated by the 1st respondent/Government to refer the dispute for adjudication.

5. Under the facts and circumstances of the case, this Court is inclined to direct the 1st respondent/Government, to consider and pass appropriate orders on the failure report dated 13.08.2025, of the 2nd respondent, within a period of four weeks, from the date of receipt of a copy of this order.

Writ petition is accordingly disposed of. No costs.

dsn/AP

13-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

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

2. The Assistant Commissioner of Labour
(Conciliation), No.18, Sevatha



Gounder Street, Bangalore Road,
Krishnangiri District- 635 001.

3. The Assistant Vice President
Management of Batta India Ltd.,
Plot No.73 And 74, SIPCOT -1,
SIPCOT Industrial Area, Hosur,
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