



W.P.(MD).No.2768 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.2768 of 2025

and

W.M.P(MD) Nos.1937 and 12117 of 2025

The Management,
Madura Coats Private Limited,
Papanasam Mill Post,
Ambasamudram,
Tirunelveli District – 627 422,
Through its HR BP – India Manufacturing,
Thiru S.Inbaraj.

... Petitioner

Vs.

1. The Assistant Commissioner of Labour,
Conciliation Officer,
Combined Labour Department Building,
Sorispuram, Tuticorin.

2. The General Secretary,
Nellai Chidambaranar District
National Panchalai Workers Union,
156, Kalliappapillai Street,
Tuticorin – 628 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to close the proceedings in Na.Ka.No.05/25, as not maintainable under law as well as on facts.



WEB COPY



W.P.(MD).No.2768 of 2025

For Petitioner : Mr.T.Ravichandran
For R1 : Mrs.D.Farjana Ghoushia
Special Government Pleader
For R2 : Mr.S.Kumar

ORDER

The present writ petition has been filed by the Management seeking a Mandamus to close the proceedings initiated by the second respondent Union under Section 2 (k) of the Industrial Disputes Act.

2. It is the contention of the petitioner/Management that such a petition under the particular provision of law is not maintainable and therefore, such an application has to be closed by the Court.

3. This Court is of the considered opinion that whether an application filed by the second respondent/Union is maintainable under Section 2 (k) of the Industrial Disputes Act, or not, has to be decided by the first respondent herein.



W.P.(MD).No.2768 of 2025

WEB COPY

4. This Court cannot interfere at this stage and conduct an enquiry and arrive at a finding that such an application is not maintainable under the particular provision of law. The petitioner/Management has already submitted their objection to the dispute raised by the second respondent Union.

5. In view of the above said deliberations, this Writ Petition stands disposed of with a direction to the first respondent to dispose of the application presented by the second respondent/Union within a period of four months from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently connected Miscellaneous Petitions are closed.

16.06.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
ebsi



W.P.(MD).No.2768 of 2025

WEB COPY

To

1. The Assistant Commissioner of Labour,
Conciliation Officer,
Combined Labour Department Building,
Sorispuram, Tuticorin.

2. The General Secretary,
Nellai Chidambaranar District
National Panchalai Workers Union,
156, Kalliappapillai Street,
Tuticorin – 628 002.



WEB COPY



W.P.(MD).No.2768 of 2025

R.VIJAYAKUMAR,J.

ebsi

W.P(MD)No.2768 of 2025

16.06.2025