



W.P.(MD) No.4255 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

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Tamil Nadu Arasu Pokkuvarathu
Kalaka Kumari Nellai Thoothukudi
Mavatta Ottnargal, Nadathunargal
Pathukappu Sangam (Reg.No.740/KKM)
rep.by its General Secretary P.Kamaraj
S/o.Ramadass
22/42A, Vadalikaattuvelai
South Soorankudi Post
Kanyakumari District

... Petitioner

-vs-

1.The Secretary to
the Government of Tamil Nadu
Transport Department
St.George Fort
Chennai

2.Member Secretary / Organiser
15th Wage Settlement
Negotiation Committee
rep.by its Managing Director (i/c)
Metropolitan Transport
Corporation (Chennai) Ltd.,
Pallavan Salai, Chennai



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3.The Labour Commissioner
Labour Office
Thenampettai
Chennai

4.The Special Joint Commissioner
Labour Office
Thenampettai
Chennai

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to permit the petitioner Sangam to participate in the ongoing 12(3) wage settlement negotiation (15th wage Settlement) between the Government and the Trade Unions by considering the petitioner's representations dated 04.03.2024, 27.01.2025 and 10.02.2025.

For Petitioner : Mr.S.Vashik Ali

For Respondents : Mr.A.Baskaran
Additional Government Pleader

ORDER

Mr.A.Baskaran, learned Additional Government Pleader, takes notice for the respondents.



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2. With the consent of both sides, this writ petition is disposed of at the admission stage itself.

3. This writ petition is filed seeking a writ of mandamus directing the respondents to permit the petitioner – Sangam to participate in the ongoing 12(3) wage settlement negotiations (15th wage settlement) between the Government and the Trade Unions by considering the petitioner's representations dated 04.03.2024, 27.01.2025 and 10.02.2025, within a time stipulated by this Court.

4. Learned counsel appearing for the petitioner would submit that the petitioner – Sangam is registered under the Trade Unions Act, 1926 on 28.08.2018. The petitioner – Sangam had participated in the previous wage settlement negotiations and the members of the petitioner – Sangam are also sending their grievances to the Sangam. In the meantime, the second respondent made an arrangement for conducting a meeting of 12(3) wage settlement between the Government and the Trade Unions scheduled to be held on 28.12.2024. However, the same was not conducted and it was postponed to some other date, without mentioning the date, due to the demise of the former Prime Minister. In this regard, the petitioner – Sangam has given



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a representation dated 27.01.2025 to the respondents to permit them to participate in the upcoming 12(3) wage settlement negotiations. The second respondent issued a call letter to other Trade Unions to participate in the 15th Wage Settlement Negotiations scheduled to be held on 13.02.2025. However, the second respondent has not issued any call letter to the petitioner Sangam. Hence, the present writ petition.

5. Learned Additional Government Pleader appearing for the respondents would submit that the 12(3) wage settlement negotiations (15th wage settlement) has been commenced on 13.02.2025 and it is going on and the representations of the petitioner – Sangam will be considered and the petitioner – Sangam will be permitted to participate in the ongoing 12(3) wage settlement negotiations.

6. Considering the submissions made on either side and also recording the submissions made by the learned Additional Government Pleader appearing for the respondents, this Court directs the respondents to permit the representative of the petitioner – Sangam to participate in the ongoing 12(3) wage settlement negotiations.



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7. With the above direction, this writ petition is disposed of. No costs.

19.02.2025

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

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To:

- 1.The Secretary to
the Government of Tamil Nadu,
Transport Department,
St.George Fort,
Chennai.
- 2.Managing Director (i/c),
Member Secretary / Organiser,
15th Wage Settlement
Negotiation Committee,
Metropolitan Transport
Corporation (Chennai) Ltd.,
Pallavan Salai, Chennai.
- 3.The Labour Commissioner,
Labour Office,
Thenampettai,
Chennai.
- 4.The Special Joint Commissioner,
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MUMMINENI SUDHEER KUMAR, J.

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