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IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON 14.10.2025

PRONOUNCED ON 21.01.2026

CORAM

THE HONOURABLE MRS. JUSTICE N.MALA

WP.No.23686/2025

Caterpillar India Workers Union
Regn No.CPT/414
rep.by its General Secretary Mr.B.Gokul
Melnallathur Village,
Thiruvallur 602 002.

Versus

- 1.The Government of Tamil Nadu
rep.by its Secretary
Department of Labour and Employment
Fort St George, Chennai 600 009.
 - 2.The Deputy Commissioner of Labour-
Conciliation II, Kuralagam, Chennai 600 108.
 - 3.M/s.Caterpillar India Private Limited
rep.by its Managing Director
Melnallathur Village
Thiruvallur 602 002.
- .. 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 directing the 1st respondent Government to pass orders in the industrial dispute raised by the petitioner before the 2nd respondent dated 18.02.2019 covered by the Conciliation Failure Report dated 23.12.2019 bearing Ref.Na.Ka.No.A/141/2019 under section 10[1] of the Industrial Disputes Act expeditiously within such time as stipulated by this Court.

For Petitioner	:	Mr.V.Prakash, Senior counsel for Mr.B.Gokul
For RR 1 & 2	:	Mrs.M.Jayanthi, AGP
For R3	:	Mr.A.L.Somayaji, Senior counsel for Mr.G.Anandgopalan for Agam Legal Advocates

ORDER

(1) This writ petition is filed by the Union for a writ of mandamus, directing the 1st respondent-Government to pass orders on the industrial dispute raised by the Union before the 2nd respondent dated 18.02.2019, covered by the Conciliation Failure Report dated 23.12.2019, expeditiously and within such time as stipulated by this Court.



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(2)Initially, the case was reserved for orders on 14.10.2025. Thereafter, the matter was listed on 09.01.2026 for pronouncing orders. After hearing the further arugments of the learned counsels, the matter was again adjourned for pronouncing orders.

(3)The Union is the petitioner in the writ petition. The petitioner states the respondent/Management is a Multi National Company manufacturing earth moving equipments and dumper trucks mainly used in mining operations. The petitioner states that there are 3000 workers employed in the manufacturing facility of Melnallathur Village in Tiruvallur. The petitioner further states that it is the only recognized Union in the factory. The petitioner further states that five settlements were signed by it with the Management and the last of such settlements was entered into with the Management in the year 2016, which was effective till December 2019. After the expiry of the settlement, Charter of Demands for wage revision were placed before the Management. However, strangely, the Management took a stand that it would not negotiate with the office bearers and therefore, an Industrial Dispute was raised with regard to the wage revision before the 2nd respondent, for the period between 2019-



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2022 on 18.02.2019. The dispute raised by the Union on 18.12.2019, ended in failure and therefore, the Conciliation Officer recorded his Failure Report on 23.12.2019 and forwarded the same to the Government. The petitioner further states that meanwhile, 18[1] settlements were signed with the individual workmen which came to an end on 31.12.2022. Thereafter, the Charter of Demands for wage revision were placed for the period 2023-2025, before the Management. Since the Management took up the very same stand of not negotiating with the external office bearers, the petitioner raised an industrial dispute before the Conciliation Officer on 30.01.2023. Pursuant to the Failure Report of the Conciliation Officer, the Government referred the dispute for adjudication vide G.O.Ms.No.667, dated 15.12.2023 and the same was taken on file by the Tribunal in OP.No.18/2023. The petitioner further states that an industrial dispute questioning the legality of the settlement entered into by the Management with the individual workers on 04.11.2019 for the period 2019-2022 was also referred by the Government for adjudication vide G.O.Ms.No.296, dated 22.06.2024, and the same is pending adjudication in OP.No.8/2025, before the Industrial Tribunal, Chennai. However,



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since the dispute relating to wage revision which ended in Failure Report on 23.12.2019, was not referred for adjudication by the Government, the petitioner was constrained to file the above writ petition for the aforesaid relief.

(4) Heard both sides and perused the materials placed on record.

(5) The records reveal that for the period 2019-2022, the Union raised a dispute regarding wage revision with the Assistant Commissioner, Labour, on 18.02.2019. The Management submitted its reply on 09.05.2019 and during the pendency of the conciliation proceedings, 18[1] settlements were signed with all the individual workers on 04.11.2019 and 05.11.2019 for the aforesaid period. Thereafter, on 23.12.2019, the Assistant Commissioner, Labour, submitted his Failure Report to the Government. Meanwhile, the Management and the Union exchanged Charter of Demands for wage revision for the subsequent period, i.e., 2023-2025. However, since the Management took a stand that it would negotiate only with the internal office bearers and not with the external office bearers, a dispute was raised and on failure of conciliation, the dispute was referred for adjudication by the Government



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vide G.O.Ms.No.667, dated 15.12.2023 and taken on file by the Industrial Tribunal in OP.No.18/2023. The said dispute is pending. It is also seen that the Union raised an industrial dispute questioning the legality of the settlements entered into by the Management with individual workers on 04.11.2019 and 05.11.2019 for the period 2019-2022 and the same was referred for adjudication by the Government in G.O.Ms.No.296, dated 12.06.2024 and taken on file in OP.No.8/2025, which is also pending. However, the dispute regarding the wage revision raised on 18.12.2019, and which ended in Failure Report on 23.12.2019, though forwarded by the Government, was not referred for adjudication. Therefore, the Union filed the above writ petition for the aforesaid relief.

(6)The facts reveal that indisputably all the workmen, during the pendency of the conciliation proceedings, individually signed the 18[1] settlements for wage revision for the period 2019-2022. Once all the workers settled the wage dispute for the period 2019-2022, under 18[1] settlement individually, the question of referring the dispute regarding the wage revision for the said period, does not arise. Moreover, the legality of the 18[1] settlements is pending adjudication before the Industrial Tribunal,



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Chennai, in OP.No.8/2025. Under the circumstances, I find absolutely no compelling reasons to grant the relief prayed for by the petitioner in the writ petition.

(7)One more aspect which needs mention is that the Union, in its affidavit, did not whisper about the inordinate delay of six years in approaching this Court for the relief of mandamus. Absolutely, no justifiable reasons are given for the inordinate delay of six years in filing the writ petition. Therefore, even on the ground of delay, I find that the writ petition lacks merit.

(8)For all the above reasons, I find absolutely no merit in the writ petition and accordingly, the same is **dismissed**. No costs.

21.01.2026

Index:Yes

Neutral Citation:Yes

Speaking Order

Internet:Yes

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To

- 1.The Secretary
Government of Tamil Nadu
Department of Labour and Employment
Fort St George, Chennai 600 009.
- 2.The Deputy Commissioner of Labour-
Conciliation II, Kuralagam, Chennai 600 108.
- 3.The Managing Director
M/s.Caterpillar India Private Limited
Melnallathur Village
Thiruvallur 602 002.
- 4.General Secretary
Caterpillar India Private Thozhilalar Sangam
Melnallathur Gramam
Thiruvallur District 602 002.



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N.MALA, J.,

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