



WEB COPY

WP No. 26468 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-03-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

W.P. No. 26468 of 2025

and W.M.P.No.29783 of 2025

Terex India Private Ltd
Rep. By Its Director, No.E-18, Phase -ii, Expansion
Ii, Sipcot Ii Industrial Complex, Hosur-635 109

..Petitioner(s)

Vs

1. The State of Tamilnadu
Rep. By Its Secretary, Department of Labour
Welfare And Skill Development Fort St. George,
Chennai-600 009
2. The Assistant Commissioner of Labour
Krishnagiri, Krishnagiri District.
3. Terex Employees Union
Rep. By its Secretary, No.157-M, Krishna
Nagar, 10 Th Cross Street, Hosur -635126

..Respondent(s)

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorarified Mandamus directing the 1st Respondent Government to refer the Demand raised by the Petitioner for increasing the productivity by 20 percent in all stages of work in all the process



over and above the Productivity norms and agreed in the earlier settlement dated 10.102019 for adjudication of the Industrial Tribunal Chennai.

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For Petitioner(s): Mr. S. Ravi, Senior Counsel
for Mr.R.Shravan

For Respondent(s): Mr. T. M. Rajangam
Government Advocate for R1 and R2
Mr.Balan Haridas for R3

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus directing the 1st respondent Government to refer the Demand raised by the Petitioner for increasing the productivity by 20 percent in all stages of work in all the process over and above the Productivity norms and agreed in the earlier settlement dated 10.102019 for adjudication of the Industrial Tribunal Chennai.

2. The learned Senior Counsel appearing for the petitioner would submit that earlier, the respondent Employees Union raised certain disputes under Section 2(k) of the Industrial Disputes Act, 1947, in which the petitioner made a counter-demand for raising the productivity by 20%. However, the same was not considered. However, they referred some of the disputes to the Labour Court, pursuant to which, the Industrial Dispute is pending before the Labour



Court. The trial is in progress. At that time, the petitioner understood that the disputes raised by the petitioner were not referred by the first respondent; thereby, the present Writ Petition has been filed.

3. The learned Senior Counsel however, submitted that this Court may permit the petitioner to raise an independent demand under Section 2(k) of the Industrial Disputes Act, to the first respondent within a period of two (2) weeks and issue a direction to the State Government to dispose of the same, within a period of six (6) weeks after affording an opportunity to the respondent Union.

4. The learned counsel appearing for the respondents have no objection to the issuance of such directions.

5. Considering the facts and circumstances of the case and the submissions made by the learned counsel for both parties, this Court permits the petitioner to raise an independent demand under Section 2(k) of the Industrial Disputes Act, to the first respondent within a period of two (2) weeks from the date of receipt of a copy of this order. Upon such demands being received, State Government shall dispose of the same, within a period of six (6) weeks after affording an opportunity to the respondent Union. It is made clear that there is no legal impediment for the Labour Court to proceed with the trial.



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

30-03-2026

(2/2)

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

Asi

To

1. The Secretary, Department Of Labour Welfare
And Skill Development Fort St. George,
Chennai-600 009
2. The Assistant Commissioner Of Labour
Krishnagiri, Krishnagiri District.
3. Terex Employees Union
Rep. By Its Secretary, No.157-M, Krishna
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M.DHANDAPANI, J.

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