

W.P.No.23457 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **24.07.2025**

CORAM

THE HONOURABLE MR.JUSTICE **P.DHANABAL**

W.P.No.23457 of 2023

Enrica Enterprises Employees Union,
represented by its General Secretary D.Thiyagarajan Petitioner

Vs

1.The State of Tamil Nadu,
represented by its Additional Chief Secretary to Government,
Fort St, George, Chennai.

2.The Deputy Commissioner of Labour (Conciliation-II),
Labour Welfare Department,
Kuralagam, Third floor,
Chennai.

3.The Management,
Enrica Enterprises Private Limited,
No.5, By-pass Road,
Poonnamalle, Chennai.

.... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Certiorarified Mandamus, to call for the records relating to the G.O.(D) No.380, dated 10.07.2023 on the file of the 1st respondent and quash the same and consequently issued a direction to refer all the dispute to Labour Court.



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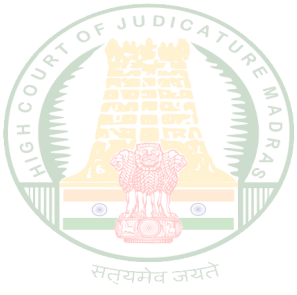
For Petitioner : Mr.S.Senthilnathan
For R1 & R2 :Mr.L.S.M.Hasan Fizal
Additional Government Pleader
For R3 : M/s.S.B.Keerthana
for Agam Legal

ORDER

This writ petition has been filed by the petitioner to quash the G.O.(D).No.380 dated 10.07.2023 and to direct the 1st respondent to refer all the disputes to Labour Court.

2. when the matter is taken up for hearing, the learned counsel for the petitioner represented that the petitioner union had raised 27 demands, in which, only 9 demands were referred for adjudication, and 6 demands were refused. The remaining demands neither referred nor declined.

3. The learned Government Advocate appearing for the 1st and 2nd respondent would submit that they have not received the demands as alleged by the petitioner, however they have received 15 demands through a strike notice, and that only 9 demands were referred for adjudication, and 6 demands were declined.



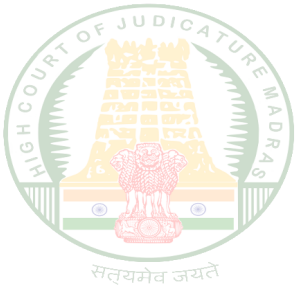
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WEB COPY 4. The learned counsel for 3rd respondent would submit that as far as all the claims mentioned in the Government Order already been addressed and implemented through various orders. Specifically the demand No.15, the agreement will expire within three years from the date of previous agreement. Therefore, it has to be adjudicated by the Labour Court.

5. After some arguments, the learned counsel for the petitioner seeks liberty to raise fresh demands, including the demands mentioned in the Government Order and those omitted by the Government. Since the Government Order has been passed in the year 2023 and the earlier settlement was also only for 3 years, it is appropriate to accept the request of the learned counsel for the petitioner. Other side counsel have also not seriously objected. Therefore, this Court inclined to dispose of this writ petition by preserving the liberty of the petitioner to raise fresh demands, including the demands mentioned in the Government Order.

P.DHANABAL,J.

Mpa



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6. Recording the aforesaid submissions and with the said terms,
this Writ Petition is disposed of. No costs.

24.07.2025

Index : Yes/No
Neutral citation : Yes/No
mpa

To

1.The State of Tamil Nadu,
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