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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.26370 of 2025

Workmen Of Kastushiro Matex India Pvt Ltd,
Through United Labour Federation,
Represented By General Secretary,
No. 149 Thambu Chetty Street, C.J. Complex, IV Floor
Chennai 600 001. ... Petitioner

Vs.

1.The Government Of Tamilnadu
Rep By its Secretary,
Labour And Skill Development Department,
Fort St George, Chennai 600 009.

2.The Assistant Commissioner Of Labour
Conciliation-I,
Irungattukottai,
Sriperumbudur, 602 106.

3.The Management Of Katsushiro Matex India Pvt. ltd.
Plot No. A 38 & 39
SIPCOT Industrial Growth Centre, Oragadam,
Sirperumbuthur Taluk,
Kancheepuram-602 105.

...Respondents

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 refer the Industrial Dispute covered by the conciliation

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failure report bearing Na.Ka.No.780/2024 dated 08.04.2025 under section 10(1) of the Industrial Disputes Act expeditiously and within such time as stipulated by this Hon'ble Court.

For Petitioner : Mr.V.Prakash, Senior Counsel for Mr.S.Gokul

For Respondent : M/s.M.Jayanthi, AGP for R.1 and R.2

O R D E R

This Writ Petition has been filed for the following reliefs:-

" directing the 1st respondent Government to refer the Industrial Dispute covered by the conciliation failure report bearing Na.Ka.No.780/2024 dated 08.04.2025 under section 10(1) of the Industrial Disputes Act expeditiously and within such time as stipulated by this Hon'ble Court. ."

2. It is the case of the petitioner union that they had raised a dispute concerning wage revision and other critical issues affecting 73 permanent workers and 220 contractual labourers with reference to their working conditions being unsafe which would lead to Industrial unrest.

3. The petitioner union had raised a charter of demands. However, the management had offered inadequate increase despite its capacity to pay

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fair wages commensurate with what is obtaining in the region on the basis of the region-cum-industry principle. That apart, the Management had refused employment to certain workers who had involved themselves in the dispute. Therefore on 20.03.2024, the petitioner union had filed an Industrial Dispute under Section 2(k) of the Industrial Dispute Act, 1947 before the Assistant Commissioner of Labour (Conciliation-II) and the Management gave its response on 24.06.2024 and the Conciliation Officer had advised the parties to first discuss the issue bilaterally and thereafter appear before him for crystallizing the difference and to facilitate the Conciliation Officer to resolve the issue by way of conciliation. In continuation with the above request, the union and the management had bilaterally held discussions on 06.11.2024, 22.11.2024, 19.12.2024 and 10.01.2025. However, the parties were not able to meet eye to eye as the respondent management was offering only a meagre increase.

4. Since there was no amicable settlement between the parties, the petitioner union had filed a Writ Petition to direct the 2nd respondent to conclude the conciliation proceedings and issue a failure report. This Court by order dated 30.01.2025 had disposed of the Writ Petition pursuant to which the failure report was issued on 08.04.2025. Despite the failure

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report had issued on 08.04.2025, the 1st respondent is yet to pass orders in the Industrial Dispute raised by the petitioner union. Therefore, the petitioner union has come forward with this Writ Petition.

5. Heard the learned counsel on either side.

6. Considering the limited request of the petitioner which is to refer the Industrial Dispute for adjudication and considering the fact that no prejudice would be caused to the 1st respondent, the Writ Petition is allowed. A direction is issued to the 1st respondent to consider the failure report dated 08.04.2025, issued by the Conciliation Officer and pass appropriate orders within a period of one month from the date of receipt of a copy of this order. In case the 1st respondent is not inclined to refer the dispute for adjudication, a speaking order shall be passed within the aforesaid period. No costs.

21.07.2025

Index : Yes/No
Speaking Order: Yes/No
Neutral Citation : Yes/No
(shr)

To

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1.The Secretary,
Labour And Skill Development Department,
Government Of Tamilnadu
Fort St George, Chennai 600 009.

2.The Assistant Commissioner Of Labour
Conciliation-I,
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P.T. ASHA. J.,

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