

Sankari Cement Alai Thozhilalar ... vs Government Of Tamil Nadu And Anr. on 2 February, 1981

Equivalent citations: (1983)ILLJ460SC, (1983)1SCC304, AIRONLINE 1981 SC 15, 1983 (1) SCC 304, 1983 SCC (L&S) 139, (1983) 1 LAB LN 824

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Bench: A.P. Sen, D.A. Desai

JUDGMENT

Mr. D.A. Desai, J.

1. Having heard learned Counsel for respondents at length and M/s. A. V. Rangam and A.T. M. Sampath with their usual vehemence tried to convince us that there is no substance in the petition. We however remain unconvinced.

2. Petitioner sought reference of the industrial dispute arising from alleged invalid termination of the service of workmen mentioned in the 460 petition under Section 10 of the Industrial Disputes Act. Having regard to all the relevant circumstances of the case, we are of the opinion that State Government failed to perform the duty imposed by the statute for reasons which are irrelevant. Accordingly, Tamil Nadu Government is directed to make a reference of the said industrial dispute to the appropriate tribunal, within four weeks from today. We hope that as the matter is an old one, the Industrial Tribunal and/or Labour Court to which reference would be made shall dispose it of as early as possible.

3. The appeal is allowed to the extent herein indicated. In the circumstances, there would be no order as to costs.

ORDER ON THE REVIEW PETITION

4. We have perused the review petition and the connected papers. We find no substance in the review petition. It is accordingly dismissed.