

W.P.(MD) No.21301 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.07.2026

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**THE HON'BLE MR.JUSTICE C.SARAVANAN**

**W.P.(MD) No.21301 of 2026**

and

**W.M.P.(MD) No.15795 of 2026**

M/s.Theva and Co.,  
Represented by the Occupier,  
Mr.Anbalagan, S/o.Devanesam,  
D.No.5/55, Senthilampannai Village,  
Thoothukudi Taluk,  
Thoothukudi District.

... Petitioner

Vs.

1.The Director,  
Industrial Safety and Health,  
Chennai.

2.The Joint Director,  
Industrial Safety and Health,  
Thoothukudi.

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the second respondent in Order No.A/1226/2026 dated 11.07.2026 and consequential show cause notice in Na.Ka.No.Aa/1234/2026 dated 14.07.2026 and set aside the same as illegal and to direct the second respondent to give sufficient time to act upon.



W.P.(MD) No.21301 of 2026

For Petitioner : M/s.J.Balameenakshi

WEB COPY For Respondents : Mr.B.Saravanan, Additional Advocate General,  
for Mr.S.Venkatesh,  
Counsel for Government of Tamilnadu

### **ORDER**

This Writ Petition has been filed challenging the impugned order passed by the second respondent in Order No.A/1226/2026 dated 11.07.2026, whereby the petitioner was directed to rectify certain unsafe conditions within a period of three days, and the consequential impugned Show Cause Notice in Na.Ka.No.Aa/1234/2026 dated 14.07.2026, and also seeking a direction to the second respondent to grant the petitioner sufficient time to comply with the said order.

2. The learned counsel for the petitioner submits that the time specified in the impugned order passed under Section 40 of the Factories Act, 1948, read with the Rules framed thereunder, for shifting the workforce is not sufficient. She further submits that this Court, in the case of *M/s.Aswini Fisheries Private Limited vs. The Director (FAC), Industrial Safety and Health and another*, by an order dated 23.07.2026 in W.P.(MD) No.20879 of 2026, had granted three months' time, and therefore, the same relief may also be granted to the petitioner.



W.P.(MD) No.21301 of 2026

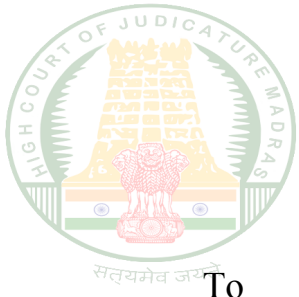
WEB COPY 3. The learned Additional Advocate General appearing for the respondents submits that the above order relied upon by the learned counsel for the petitioner is to be challenged before the Division Bench of this Court and that reasonable time can be extended by this Court.

4. Considering the submissions made by the learned counsel for the petitioner and the learned Additional Advocate General appearing for the respondents, I am inclined to dispose of this Writ Petition by granting the petitioner a further period of 30 days from today to relocate the workforce from the present premise to another location, which should satisfy the requirements under the provisions of the Factories Act, 1948, read with the Rules framed thereunder.

5. Accordingly, this Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

27.07.2026

JEN  
NCC : Yes / No  
Index : Yes / No



W.P.(MD) No.21301 of 2026

To  
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- 1.The Director,  
Industrial Safety and Health,  
Chennai.
- 2.The Joint Director,  
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W.P.(MD) No.21301 of 2026

**C.SARAVANAN, J.**

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W.P.(MD) No.21301 of 2026

27.07.2026

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