

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.28216 of 2015

DATED : 01.09.2015

Between :

T. Babu Rao S/o.T. Bujjaiah,
Aged about 36 yrs Occu : Managing Director,
M/s.City Square Design Interiors Pvt. Limited,
506, Kanchanjunga (Aditya Enclave), D-Block,
Maitrivanam Circle, Ameerpet, Hyderabad.

.. Petitioner

and

The State of Telangana,
Rep., by its Principal Secretary,
Labour Department,
Secretariat, Hyderabad & others.

.. Respondents

This court made the following :

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ORDER :

The petitioner claims to be Managing Director of City Square Design Interiors Pvt. Limited, dealing with interior designing and all structural designing for civil works. The petitioner company claims to be having on its own 200 employees. This writ petition is filed challenging the notice issued to the petitioner by the Joint Commissioner of Labour, (Twin Cities), Hyderabad (2nd respondent) dated 20.08.2015 directing the petitioner to appear before him on 01.09.2015 at 4.00 p.m. (i.e., today).

2. Learned counsel for the petitioner contends that the impugned notice does not contain the reasons as to why he was directed to appear before the 2nd respondent, and in the absence of reasons he cannot be compelled to appear before the authority and therefore, the very notice is ex-facie illegal.

3. Learned Assistant Government Pleader submits that the notice is issued on a complaint given by the employees working in the petitioner company stating that they have not paid wages. The petitioner is also served with notice of non payment of wages and thus, the petitioner is aware of the reasons for his attendance and it is

only to conduct negotiations, the meeting is convened by the 2nd respondent.

4. As seen from the notice, the subject itself discloses the reasons for calling the petitioner to attend the meeting i.e., non-payment of wages to 10 employees working in the petitioner company. A copy of the representation is also filed by the petitioner which discloses that the amount of salary payable to them is not paid and that is the complaint generated by his employees. Thus, it cannot be said that the petitioner is not aware of the reasons for calling him before the 2nd respondent and therefore, there is no illegality in issuing the notice warranting interference by this Court. Moreover, it is only a notice and it is for the petitioner to appear before the 2nd respondent and raise all the objections that are available to him against entertainment of such complaint or exercise of jurisdiction by the Joint Commissioner. Without availing any such remedy, the petitioner cannot directly invoke the jurisdiction of this Court to scuttle the enquiry process by the 2nd respondent.

5. Having regard to the above observations, the writ petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand dismissed.

P.NAVEEN RAO,J

1st September, 2015.
Rds