

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.07.2016

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
THE HON'BLE MR. JUSTICE R.MAHADEVAN

W.A.Nos.458 & 459 of 2009 and
M.P.No.1 of 2009 in W.A.No.458 of 2009

The Management of
Bailey Hydropower Pvt. Ltd.,
A10, SIPCOT Indl Park, Irrugattukottai,
Sriperumbudur 602 105,
Kanchipuram Dist. 602 105,
rep. by its General Manager - Operations... Appellant/Petitioner
in both appeals

Vs.

- 1.The Deputy Commissioner of Labour-II,
(Authority under the Minimum Wages Act)
Labour Welfare Board Building,
D.M.S. Compound, Teynampet,
Chennai-600 006.
- 2.Chennai Yettrumathi Valaga Uzhiyargal
Matrum Pothu Thozhilalar Sangam,
No.11, M.E.S. Road, Kadapeti,
Tambaram, Chennai-600 045. ... Respondents/Respondents in
both appeals

Appeals filed under Clause 15 of Letters Patent against the
common order dated 10.12.2008 made in W.P.Nos.16970 & 16971 of
2008 on the file of this Court.

WP 16970 of 2008: The petition filed under Article 226 of the
constitution of India praying to issue writ of certiorari
calling for the records of the 1st respondent in MW case
No.59/07 dt 13.6.08 and quash the same.

WP 16971 of 2008: The petition filed Article 226 of the
Constitution of India praying to issue writ of certiorari
calling for the records of the 1st respondent in MW
I.A.No.4/07 , dt 26.7.07 and quash the order.

For Appellant .. No Appearance
in both appeals

For Respondents.. No Appearance
in both appeals

COMMON JUDGMENT

(Judgment of the Court was made by The Hon'ble Chief Justice)

The learned counsel for the appellant states that change of vakalat was given as early as in 2009. No other vakalat has been filed.

2. On perusal of the interim order dated 16.04.2009 passed in M.P.No.1 of 2009 in W.A.No.458 of 2009, it transpires that practically 100% of the amount of wages deposited by the Management has been directed to be disbursed, subject to the decision in the appeals, with the question of penalty being left open.

3. It appears that the Management might have lost the interest in the matter.

4. The appeals are dismissed for non-prosecution. No costs. The interim order granted in M.P.No.1 of 2009 in W.A.No.458 of 2009, dated 16.04.2009 stands vacated and the application is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

bbr
To
The Deputy Commissioner of Labour-II,
(Authority under the Minimum Wages Act)
Labour Welfare Board Building,
D.M.S. Compound, Teynampet,
Chennai-600 006.

1 cc to Government Pleader, sr.42635

W.A.Nos.458 & 459 of 2009

mpi co
kra 10.08.2016