

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2016

CORAM :

THE HONOURABLE MR. JUSTICE R.SURESH KUMAR

W.P.No.14452 of 2010

TAMILNADU OORAGAVALARCHI
ULLATCHITHURAI OOLİYARGAL
SAMMELANAM 27 (Reg.No.3030/CNI)
MOSQUE ST CHEPAUK
CHENNAI 5 REP BY ITS
GENERAL SECRETARY MR.K.R.GANESAN .. Petitioner

Vs.

1. THE GOVERNMENT OF TAMILNADU
REP BY THE SECRETARY TO
THE GOVT. LABOUR AND EMPLOYMENT DEPT.
FORT ST.GEORGE
CHENNAI 9
- 2 THE JOINT COMMISSIONER
(CONCILIATION) OFFICE OF
THE COMMISSIONER OF
LABOUR CHENNAI 6 .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for to call for the records relating to the impugned order of the 2nd respondent in Se.1/ 58733/08-11 dt 24.11.2009 and quash the same and direct the respondents to pay the basic rates of wages payable under the Minimum Wages Act 1948 as fixed by the Ministry of Labour and Employment Government of India in S.O. 1994 (E) dt 7.8.2008 to the employees engaged in cleaning and sweeping work in all the Local Bodies in Tamilnadu immediately.

For Petitioner : Mr.P.Rajendran

For Respondents: Mr. P.Sanjay Gandhi
AGP

O R D E R

The prayer in the writ petition is for a writ of certiorarified mandamus calling for the records relating to the impugned order of the 2nd respondent in Se.1/ 58733/08-11 dt 24.11.2009 and quash the same and direct the respondents to pay the basic rates of wages payable under the Minimum Wages Act 1948 as fixed by the Ministry of Labour and Employment Government of India in S.O. 1994 (E) dated 7.8.2008 to the employees engaged in cleaning and sweeping work in all the Local Bodies in Tamilnadu immediately.

2. The learned counsel for the petitioner submits that the issue raised in the writ petition is pertaining to the fixation of minimum wages and in this regard, the State Government has already come forward to issue a Government Order in G.O.Ms.No.59, Labour and Employment (J2) Department dated 18.6.2014 by which a committee was re-constituted to look into the issue of fixation of minimum wages.

3. The learned Additional Government Pleader appearing for the respondents would submit that by proceedings dated 07.10.2016, the committee meeting was scheduled on 21.10.2016 and thereafter, also periodical meeting would go on.

4. Based on the above said developments, the learned counsel for the petitioner would submit that since the committee has been re-constituted and the meeting is regularly going on, all the grievances of the petitioner would be put forth before the said committee and once the committee takes a decision, then the authorities would act accordingly and the learned counsel for the petitioner would submit that if any adverse order is passed by the committee, liberty may be given to the petitioner to work out their remedy in accordance with law.

5. Recording the said submissions made by both counsels, the writ petition is disposed of with an observation that after the committee's meeting, if any adverse order is passed, prejudicial to the interest of the petitioner, then it is open to the petitioner to approach appropriate forum in accordance with law for redressal of their grievances.

6. With this observation and by recording the submissions made by both sides, this writ petition is disposed. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

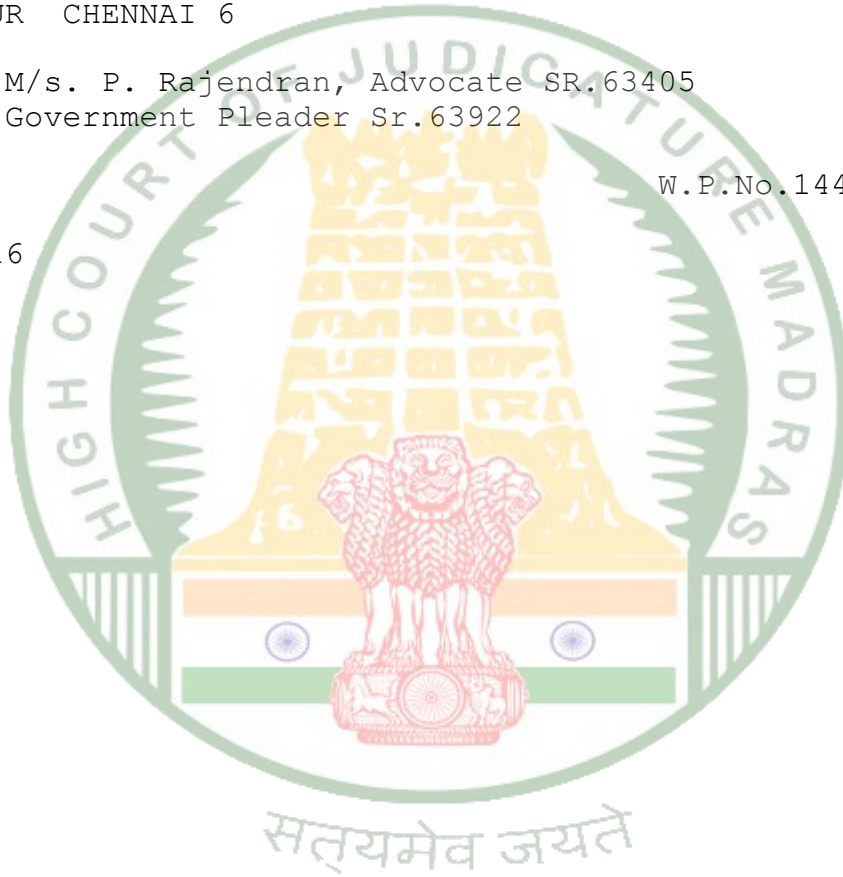
1. THE SECRETARY TO GOVERNMENT OF TAMILNADU
LABOUR AND EMPLOYMENT DEPT. FORT ST.GEORGE
CHENNAI 9

2 THE JOINT COMMISSIONER
(CONCILIATION) OFFICE OF THE COMMISSIONER OF
LABOUR CHENNAI 6

+ 1 cc to M/s. P. Rajendran, Advocate SR.63405
+ 1 cc to Government Pleader Sr.63922

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ALA (CO)
EU 16.12.16



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