

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2016

CORAM:

THE HONOURABLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.24377 of 2012

Integral Plantation Workers Union
rep. by its Secretary-Legal
Regn.No.235/NLG
H.O.Pandalur Bazaar
Pandalur, Nilgiris 643 233.

... Petitioner

Versus

1.Government of India,
rep. by its Secretary,
Ministry of Law and Justice,
4th Floor, 'A' Wing, Shastri Bhavan,
New Delhi 110 001.

2.The Secretary,
Government of India,
Ministry of Labour,
No.5, Sham Nath Marg,
New Delhi.

3.Chair person
Tea Board,
14, BTM Sarani
Brabourne Road,
Kolkatta 700 000.

4.The Secretary,
Labour and Employment Department,
Government of Tamil Nadu
Fort St.George,
Chennai 600 009.

5.The Commissioner of Labour,
DMS Compound,
Teynampet,
Chennai 600 006.

6.The Management,
Mahavir Plantations Private Limited,
rep. by its Managing Director,
Prospect Estate,
Naduvattam Post,
Nilgiris District 643 224.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a writ of Mandamus, directing the respondents to consider the representation of the petitioner Union dated 22.06.2012 in accordance with law within a time frame.

For Petitioner : Mr.Balan Haridas

For Respondents : Mr.S.Srinivasan for R.3
Mr.P.Sukumar for R.6
Mr.Manisundargopal for R.1
Mr.V.Vibhishanan for R.2
Mr.T.N.Rajagopalan
Special Government Pleader
for R.4 and R.5

O R D E R

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

In Writ Petition (Civil) No.365 of 2006, directions were issued by the Hon'ble Supreme Court on 06.08.2010, for the Central Government to carry out its statutory duty under the provisions of the Tea Act, 1953, particularly in terms of Sections 16-B, 16-C, 16-D and 16-E, within a period of six months of the date of that order. The writ petition was disposed of with a direction in the context of the plea that the Tea Estate had been abandoned by the Tea Companies and the workers were left high and dry without receiving their dues.

2. The petitioner made a representation to different authorities pointing out the said difficulty and sought action under the same provisions qua the Management of Mahavir Plantations Private Limited/ 6th respondent. Since there was no action, this writ petition has been filed seeking directions to the respondents to consider the representation of the petitioner/Union dated 22.06.2012.

3. Learned counsel appearing for respondents Nos.4 and 5 states that the authority concerned is the Joint Commissioner of Labour, Coimbatore.

4. We are thus of the view that the merits of the representation may be examined by the said authority and a copy of this order enclosing a copy of the representation be sent by the Court to the Joint Commissioner of Labour, Coimbatore.

5. The writ petition accordingly stands disposed of, leaving the parties to bear their own costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ksr

To

1.The Secretary,
Government of India,
Ministry of Law and Justice,
4th Floor, 'A' Wing, Shastri Bhavan,
New Delhi 110 001.

2.The Secretary,
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Ministry of Labour,
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4.The Secretary,
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Government of Tamil Nadu
Fort St.George,
Chennai 600 009.

5.The Commissioner of Labour,
DMS Compound,
Teynampet,
Chennai 600 006.

6.The Joint Commissioner of Labour,
Coimbatore.

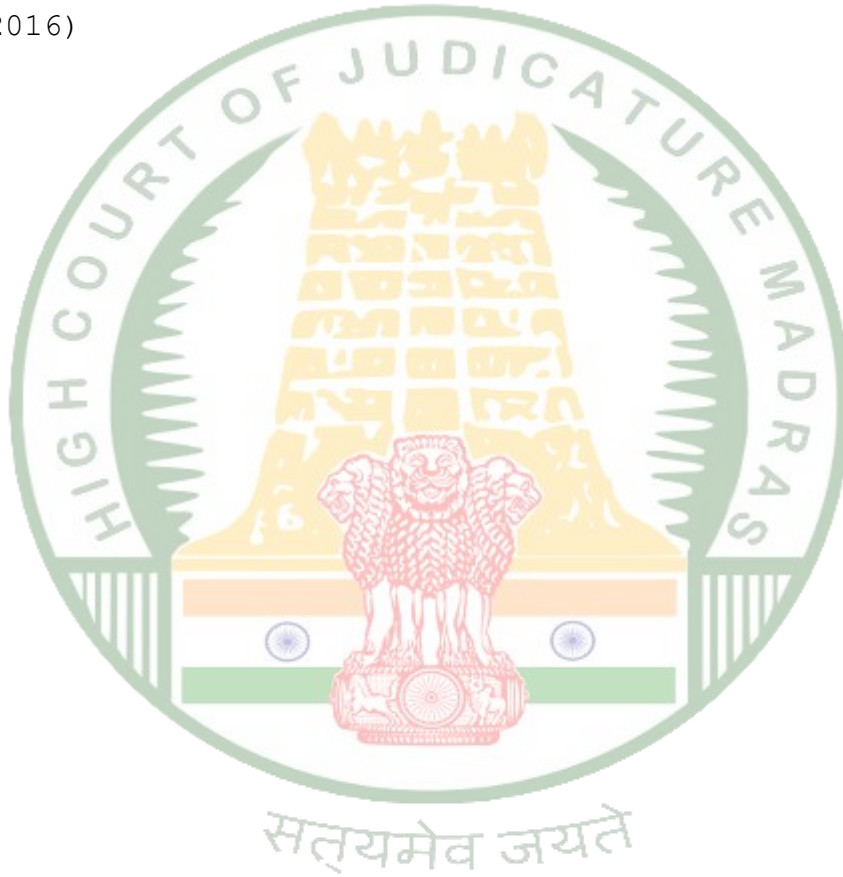
+1cc to Mr.P.Sukumar, Advocate, S.R.No.43587

+1cc to Mr.V.Vibhishanan, Advocate, S.R.No.43724

+1cc to Mr.Balan Haridas, Advocate, S.R.No.43413

W.P.No.24377 of 2012

MP 1(CO)
CA(16/08/2016)



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