

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2016

CORAM

THE HONOURABLE MR. JUSTICE N. KIRUBAKARAN

W.P. No. 26306 to 26309 of 2016

&

W.M.P. Nos. 22563 to 22566 of 2016

Nevedha Knits,
rep. by its Partner - Mr.R. Balasubramaniam,
SF. No. 294, Kangayam Main Road,
Vijayapuram Post, Tirupur,
Tamilnadu - 641 606. ..Petitioner in W.P. No.
26306 of 2016

Leshark Global LLP.,
rep. by its Managing Director -
Mrs. Kiran Anil Shah,
SF No. 245, I., Opp. Park School,
karaipudur, Chinnakkarai,
Palladam, Tirupur,
Tamilnadu - 641 605. ..Petitioner in W.P. No.
26307 of 2016

Leshark Global LLP.,
rep. by its Managing Director -
Mrs. Kiran Anil Shah,
No.8 564, Segampalayam Road,
Uppilipalayam,
Arulpuram Post,
Palladam, Tirupur,
Tamilnadu - 641 605. ..Petitioner in W.P. No.
26308 of 2016

CRISP INC.,
rep. by its Partner - Mr.Sharuk Mehta,
No.10/520, A. Palladam Road,
Near Thirumurugan Mills,
Veerapandi Post,
Tirupur, Tamilnadu - 641 605. ..Petitioner in W.P. No.
26309 of 2016

Vs.

1. The Government of Tamilnadu,
rep. by its Secretary to Govt.,
Labour and Employment Department,
Fort St. George,
Chennai - 600 009.
2. The Joint Director Industrial Safety &
Health - II,
Tirupur District, Tirupur. ..Respondents in all the
writ petitions.

Prayer: Petitions under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus forbearing the respondent, their men, officers, agents, servants, representatives and/or anyone claiming through or under them and/or any other person from in any manner applying the impugned Government Order in G.O.(2D) No. 59, Labour And Employment (J1) Department dated 10.10.2014 and published in Part II-Section 2 of the Tamil Nadu Government Gazette dated 03.12.2014 on the petitioners, who are differently placed as Hosiery Manufactory and not as Tailoring Industry.

For Petitioners :: Mr.S. Ezhil Raj
all WPs
For Respondents :: Mrs.P. Kavitha,
all WPs Govt. Advocate

O R D E R

These writ petitions are filed for issue of a Writ of Mandamus forbearing the respondents, their men, officers, agents, servants, representatives and/or anyone claiming through or under them and/or any other person from in any manner applying the impugned Government Order in G.O.(2D) No. 59, Labour And Employment (J1) Department dated 10.10.2014 and published in Part II-Section 2 of the Tamil Nadu Government Gazette dated 03.12.2014 on the petitioners, who are differently placed as Hosiery Manufactory and not as Tailoring Industry.

2. When the writ petitions are taken up, it is brought to the notice of this Court that a Division Bench of this Court, in similar circumstances, in W.P. Nos. 36077 & 36078 of 2015, on 17.01.2016, held as follows:

"4. Learned Counsel appearing for the respondents fairly submits that the aforestated G.O.(2D) No. 59, Labour and Employment (J1) Department dated 10.10.2014 is not applicable to the employment in Hosiery Manufactory.

5. In view of the foregoing, it is established that G.O. (2D) No. 59, Labour and Employment (J1) Department dated 10.10.2014, published in Part II Section 2 of the

Tamil Nadu Government Gazette dated 03.12.2014 is not applicable to the employment in Hosiery Manufactory. Accordingly, these writ petitions are disposed of."

3. In the light of the above order passed by the Division Bench of this Court, these writ petitions, filed by petitioners, who are also engaged in Hosiery Manufacturing Business, are disposed of on the same lines, i.e., G.O. (2D) No. 59, Labour and Employment (J1) Department dated 10.10.2014, published in Part II Section 2 of the Tamil Nadu Government Gazette dated 03.12.2014 is not applicable to the employment in Hosiery Manufactory. No costs. Connected W.M.Ps are closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Secretary to Govt.,
Labour and Employment Department,
Fort St. George,
Chennai - 600 009.
2. The Joint Director Industrial Safety &
Health - II,
Tirupur District, Tirupur.

+3 cc's to Mr.S.Ezhilraj, advocate,sr.43209 to 43211/16

+1 cc to Govt.Pleader,sr.43061.

sv(co)
krd 17/8

W.P. Nos. 26306 to 26309 of 2016

सत्यमेव जयते

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