

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :04.10.2017
CORAM
THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
W.P.No.5715 of 2003

Tamil Nadu Consumer Co-operative
Employees Federation (Regd.No.799/Che)
rep.by its President,
72-C, 'L' Block,
Anna Nagar East,
Chennai - 600 102.

..Petitioner

vs

1.The Union of India,
rep.by Secretary to Government,
Ministry of Labour,
New Delhi.

2.The State of Tamil Nadu,
rep.by its Secretary to Government,
Department of Co-operation, Food
and Consumer Protection,
Fort St.George,
Chennai - 600 009.

3.The Registrar of Co-operative
Societies,
170, E.V.R.Periyar Road,
Kilpauk,
Chennai - 600 010.

4.The Special Officer,
Chandrasekarappuram Consumer
Co-op. Wholesale Stores,
8-A, Ramasami Kovil West Street,
Kumbakonam - 612 001.

5.The Special Officer,
Cuddalore District Consumer
Co-op. Wholesale Store
(Saravanabhava),
3, Beach Road,
Cuddalore - 607 001.

6.The Special Officer,
Coimbatore District Consumer
Co-op. Wholesale Store,
(Chinthamani Super Market),
R.S.Puram,
Coimbatore - 641 002.

7.The Special Officer,
Dindigul District Consumer
Co-op. Wholesale Store,
(Abhirami Super Market),
34-B, Pandian Nagar,
Dindigul - 624 007.

8.The Special Officer,
Dharmapuri District Consumer
Co-op. Wholesale Store,
72, Kandasami Vathiyar Street,
Dharmapuri - 636 701.

9.The Special Officer,
Erode District Consumer
Co-op. Whole sale Stores,
124-A, Perundurai Road,
Erode - 638 011.

10.The Special Officer,
Kanchipuram District Consumer
Co-op. Wholesale Store,
93, Prakasam Salai, Broadway,
Chennai - 600 108.

11.The Special Officer,
Karur District Consumer
Co-op. Wholesale Store,
(Amaravathi)
Karur - 639 001.

12.The Special Officer,
Madurai District Consumer
Co-op. Wholesale Store,
(Pandian Super Market)
162, East Veli Veethi,
Madurai - 625 001.

13.The Special Officer,
Mayiladuthurai Consumer
Co-op. Wholesale Store,
5-B, Narayana Pillai Lane,
Mayiladuthurai - 609 001.

14.The Special Officer,
Nilgiris District Consumer
Co-op. Wholesale Store,
Regend House, Club Road,
Udhamandalam - 643 001.

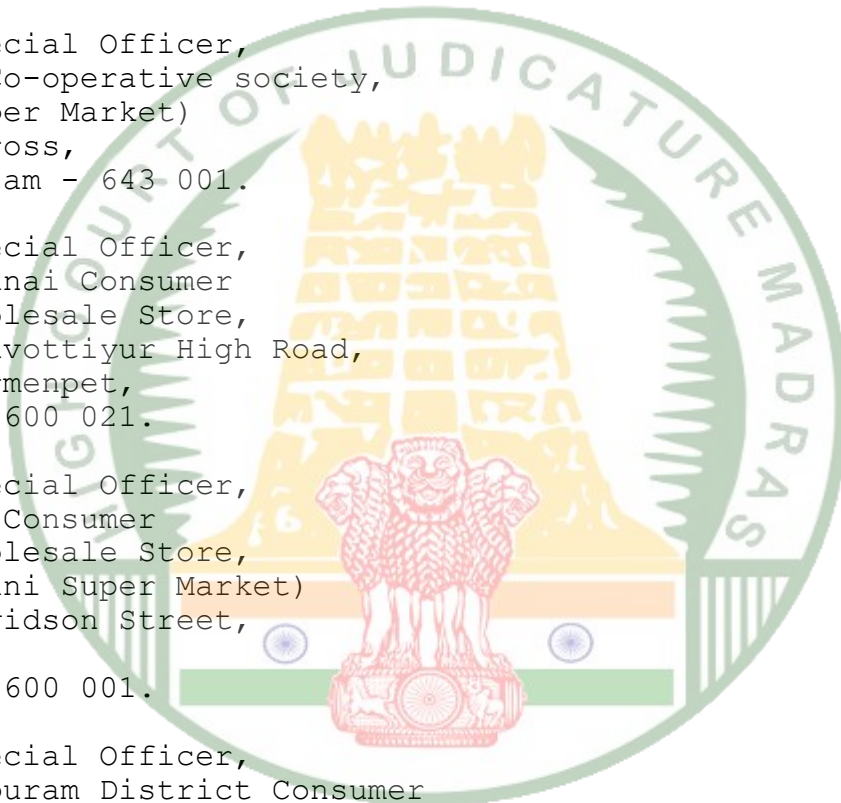
15.The Special Officer,
Nilagiri Co-operative society,
(N.C.E.Super Market)
Charing Cross,
Udhamangalam - 643 001.

16.The Special Officer,
North Chennai Consumer
Co-op. Wholesale Store,
233, Thiruvottiyur High Road,
Old Washermenpet,
Chennai - 600 021.

17.The Special Officer,
Park Town Consumer
Co-op. Wholesale Store,
(Chinthamani Super Market)
1 & 2, Davidson Street,
Broadway,
Chennai - 600 001.

18.The Special Officer,
Ramanathapuram District Consumer
Co-op. Wholesale Store,
265, Vandikara Street,
Ramanathapuram - 623 501.

19.The Special Officer,
Salem District Consumer
Co-operative Wholesale Store,
(Ponni Head Office)
Seetharaman Road,
Salai - 636 009.



20.The Special Officer,
Tuticorin District Consumer
Co-op. Wholesale Store,
134, Big Cotton Road,
Tuticorin - 628 001.

21.The Special Officer,
Thanjavur District Consumer
Co-op.Wholesale Store,
34/2769-11, South Alangam,
Thanjavur - 613 001.

22.The Special Officer,
Thiruvannamalai District Consumer
Co-op.Wholesale Store,
15, Gandhi Nagar 5th Street,
Thiruvannamalai - 606 601.

23.The Special Officer,
Trichy District Consumer
Co-op. Wholesale Store,
Old Goodshed Road,
Trichy - 627 001.

24.The Special Officer,
Thirunelveli District Consumer
Co-op. Wholesale Stores
(Nellai Super Market)
Thirunelveli Junction - 627 001.

25.The Special Officer,
Perambalur District Consumer
Co-op. Wholesale Store,
K.R.Complex,
Thoraimangalam,
Perambalur - 621 220.

26.The Special Officer,
Rajapalayam Consumer
Co-op.Wholesale Store,
346, Bharathi Salai,
Housing Board Colony,
Rajapalayam - 626 108.

27.The Special Officer,
Sivagangai District Consumer
Co-op. Wholesale Store,
6, Ram Nagar, Melur Road,
Sivagangai - 623 560.

28.The Special Officer,
Thiruppur Consumer Co-op
Wholesale Store,
1, Perumanallur Salai,
Thiruppur - 638 002.

29.The Special Officer,
Trichy District Consumer
Co-op. Wholesale Store,
(Chinthamani Supermarket)
12/1, E.V.R.Salai, Puthur,
Trichy - 620 017.

30.The Special Officer,
Triplicane Urban Co-op, Society
(TUCS) 119, Big Street,
Triplicane, Chennai - 600 005.

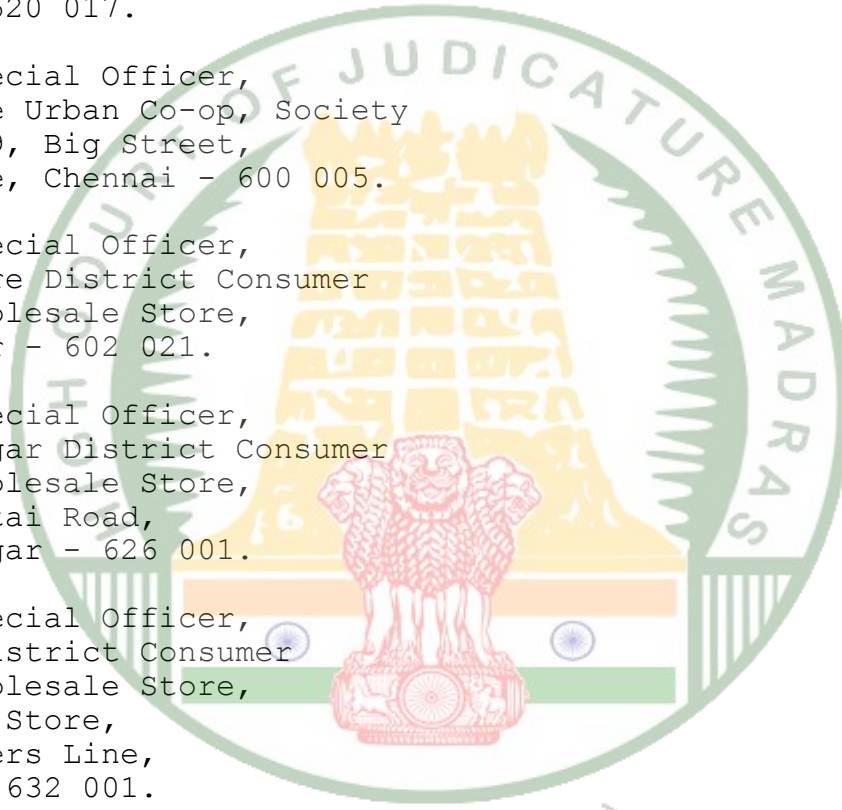
31.The Special Officer,
Tiruvallore District Consumer
Co-op. Wholesale Store,
Tiruvallur - 602 021.

32.The Special Officer,
Virudhunagar District Consumer
Co-op. Wholesale Store,
Aruppukottai Road,
Virudhunagar - 626 001.

33.The Special Officer,
Vellore District Consumer
Co-op. Wholesale Store,
Wholesale Store,
14, Officers Line,
Vellore - 632 001.

34.The Special Officer,
Villupuram District Consumer
Co-op. Wholesale Stores,
13-A, Chairman Chidambaram Salai,
West Shanmugapuram,
Villupuram - 605 602.

35.The Special Officer,
Kanniakumari District Consumer
Co-op. Wholesale Store,
(Baghavathi Super Market)
Nager Coil - 629 001.



36.The Special Officer,
Pollachi Consumer
Co-op. Wholesale Store,
Palladam Salai, Mahalingapuram Post,
Pollachi - 642 001.

37.The Special Offficer,
Namakkal District
Co-op. Wholesale Store,
Namakkal.

38.The Special Officer,
Pudukottai District
Consumer Co-op. Wholesale Store,
Pudukottai - 622 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration, declaring the ceiling on the wages of the employees with regard to entitlement for Bonus in Section 2(13) of the Payment of Bonus Act, 1965 as illegal and unconstitutional and consequently set aside the order of the 2nd Respondent made in G.O.(D) No.234, Co-operation, Food and Consumer Protection (CC) Department, dated 31.10.2002 and direct the respondents 3 to 38 to pay Bonus to those employees who are out of the Ceiling of Wages under Sec.2(13) of the Payment of Bonus Act from 1998 to 2002 and award costs.

For Petitioner :Mr.S.Ayyadurai
For Respondents :Mr.L.P.Shanmugasundaram
Special Government Pleader
(Co-operatives)for R3
Mr.R.Vijayakumar, AGP, for R2
Mr.R.N.Amarnath, for R7 & 11
Mr.M.R.Raghavan, for R19
Mr.S.V.Duraisolaimalai, for R23
Mr.V.Arun, for R24 & 26
Mr.P.Anbarasan, for R30
Mr.P.S.Sivashanmugasundaram
for R33

No Appearance : RR1,R4 to R6, R8 to R10,
R12 to R18, R20 to R22,
R25, R27 to R29, R31&R32,
and R34 to R38

O R D E R

The learned Counsel appearing for the petitioner submits that the prayer in the Writ Petition has already become infructuous and he had also made an endorsement to that effect.

2. Recording the same, this Writ Petition is dismissed as infructuous. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary to Government,
The Union of India,
Ministry of Labour,
New Delhi.

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The State of Tamil Nadu,
Department of Co-operation, Food
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Fort St.George,
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170, E.V.R.Periyar Road,
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