

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2017

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.44450 of 2016

Workmen of Taneja Aerospace and Aviation
through Taneja Aerospace and
Aviation Employees Union

Regn.No: 472/DRP

represented by its General Secretary

Belakondapalli, Dhali Salai

Hosur, Krishnagiri District 635 114

.. Petitioner

-vs-

1.The Joint Director of Industrial Safety and Health
Hosur
Krishnagiri District

2.The Management of Taneja Aerospace
and Aviation Limited
Pelakondapalli Post, Thali Road
Hosur, Krishnagiri District 635 114

.. Respondents

Petition under Article 226 of the Constitution of India,
praying for the issue of a Writ of Mandamus, directing the first
respondent to take steps in accordance with Section 14 of the
Payment of Wages Act and ensure payment of wages to the members
of the petitioner union in the second respondent factory and
supervise the said payment of wages to the workers.

For Petitioner :: Mr.K.Sudalaikannu

For Respondents :: Mr.M.Elumalai

Government Advocate for R1

ORDER

The present writ petition has been filed seeking a writ of
mandamus, directing the Joint Director of Industrial Safety and
Health, Hosur, Krishnagiri District, the first respondent herein
to take steps/action in accordance with Section 14 of the
Payment of Wages Act and ensure payment of wages to the members
of the petitioner union in the second respondent factory and
supervise the said payment and wages to the workers.

2. At the outset, this Court is inclined to mention that the writ petition cannot be entertained. Firstly, when the petitioner has made a complaint before this Court that the members of the petitioner union are not being paid with their monthly wages regularly, it is the bounden duty of the petitioner union, which is representing their members, to seek redressal before the first respondent in the manner known to law. Secondly, the copy of the letter enclosed at page-5 of the typedset does not mention the date of sending the representation. Although the learned counsel for the petitioner submitted that the seal of the Labour Officer's office, Krishnagiri dated 2.9.2016 is available, even that seal also does not relate to the first respondent's office. Therefore this Court, for the reason that no proper representation has been made for invoking the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India to issue a mandamus or writ to the first respondent to take steps/action against the second respondent, is not inclined to entertain the writ petition. Accordingly, the writ petition is dismissed. Consequently, W.M.P.No.38294 of 2016 is also dismissed. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

ss

To

1.The Joint Director of Industrial Safety and Health
Hosur
Krishnagiri District

+1CC to Mr.K.Sudalaikannu, Advocate (SR.No.451)
+1cc to Govt Pleader (Sr.No.203)

W.P.No.44450 of 2016

KJI (CO)
CB(23-01-2017)

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