

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :05.07.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.16689 of 2017

and

W.M.P.Nos.18068 & 18069 of 2017

Jansons Clothing

(A division of Jansons Industries Ltd.,)

Represented by its General Manager &

Authorised Singnatory, J.Srinivasa Raghavan,

having its registered office at

No.68-1/A, Namakkal Road, Tiruchengode- 637211,
Namakkal District, Tamil Nadu. ... Petitioner

vs

1.The Secretary to Government,
Government of Tamil Nadu,
Labour & Employment (J-2) Department,
Fort St. George, Chennai-600 009.

2.The Joint Director,
Industrial Safety & Health,
13, Kandappa Street, Erode-638 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the 1st respondent bearing reference no. "Labour and Employment (J2) Department, letter no.11904/J2/2016-9 dated 13.06.2017", and quash the same and consequently direct the 1st respondent to form Committees/Sub-Committees and set up an Advisory Board to call for and consider the grievances of the managements of the Home Textile Industry with regard to notification of a fresh Government Order towards fixation of minimum rates of wages treating the Home Textile Industry as a separate category distinct and different from either the textile Industry covered by Tailoring "GO (2D) No.59 Labour and Employment Department (J1)10th October 2014" or the Hosiery Industry covered by Hosiery "GO(2D)NO.5 Labour and Employment Department (J1) dated 27.01.2016" or the Knitting Industry Covered by Knitting "Go(2D) No.6 Labour and Employment Department (J1) dated 27.01.2016".

For Petitioner : Mr.K.Subhashini
for M/s.Chennai Law Asso.

For Respondents : Mr.M.Elumalai
Government Advocate

O R D E R

The relief sought for in this writ petition is to call for the records in relation to the impugned order passed by the first respondent bearing reference No. "Labour and Employment (J2) Department, letter No.11904/J2/2016-9, dated 13.06.2017", and to quash the same and consequently direct the 1st respondent to form Committees/Sub-Committees and set up an Advisory Board to call for and consider the grievances of the Managements of the Home Textile Industry with regard to the notification of a fresh Government Order towards fixation of minimum rates of wages treating the Home Textile Industry as a separate category distinct and different from either the textile Industry covered by Tailoring.

2.The learned Government Advocate appearing on behalf of the respondents made a submission that the grievance of the writ petitioner has already been redressed by the Government, and in this regard, the Government issued G.O.Ms.No.53 Labour and Employment Department (J2) dated 27.04.2018, which has been issued with reference to the provisions of the Minimum Wages Act, 1948 (Central Act XI of 1948). The learned Government Advocate further contented that, the said Government Order was already notified in the Tamil Nadu, Government Gazette on 16.05.2018.

3.Thus, when the Government Order already been notified in the Government Gazette and the relief sought for in this writ petition with regards fixation of minimum rates of wages in respect of the home textiles industry is resolved, there is no necessity to adjudicate the grounds raised in this writ petition.

4. Accordingly, the writ petition stands closed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

stm

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

- 1.The Secretary to Government,
Government of Tamil Nadu,
Labour & Employment (J-2) Department,
Fort St. George, Chennai-600 009.
- 2.The Joint Director,
Industrial Safety & Health,
13, Kandappa Street, Erode-638 001.

+1cc to M/s.Chennai Law Associates, Sr.No.44410

+1cc to Government Pleader Sr.No.44095

sm:20.7.2018

W.P.No.16689 of 2017



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