

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.34113 of 2019
and
W.M.P.No.34719 of 2019

V.Narayanasamy
S/o.Thiru.G.Venkittasamy ... Petitioner

vs.

The Joint Director-I
Industrial Safety and Health
Coimbatore - 641 012. ... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorari, calling for the records of the respondent in Proceedings No.AA/6770/2019 and quash the order dated 03.12.2019.

For Petitioner : Mr.S.Ravindran
Senior Counsel for
Mr.S.Bazeer Ahamed

For Respondent : Mr.D.Suriyanarayanan
Additional Government Pleader

सत्यमेव जयते
O R D E R

This writ petition is filed challenging the order of the respondent dated 03.12.2019, closing the petitioner's factory indicating certain lapses.

2. This Court, while entertaining the writ petition, granted an interim order of stay on 06.12.2019 subject to the conditions that the petitioner shall not operate the Washing area/Casting Washing Section/Casting Surface Treatment Section and that they should comply with all the lapses pointed out in the impugned order and report the progress of such compliance before this Court. Accordingly, the matter was adjourned to 20.12.2019.

3. Thereafter, when the writ petition was taken up on 20.01.2020, the learned Senior Counsel appearing for the petitioner submitted that the defects pointed out in the impugned order have been rectified by the petitioner and therefore, there will not be any impediment for the concerned authority to issue an order permitting the petitioner to run the factory.

4. The learned Additional Government Pleader reported on that day, that he received a communication dated 20.01.2020 informing that the team of officials, inspected the petitioner's factory on 03.01.2020 and observed that all the twenty violations mentioned in the stoppage order have been rectified by the petitioner. Taking note of the above said submission, this Court posted the writ petition today for reporting further developments also by clearly indicating that the pendency of this writ petition is not a bar for the Director of Industrial Safety and Health to issue an order permitting the petitioner to run the Factory, since it is admitted by the learned Additional Government Pleader that all the twenty violations mentioned in the impugned stoppage order have been rectified by the petitioner. Accordingly, the matter is listed today for further hearing.

5. The learned Additional Government Pleader today produced an order dated 29.01.2020 issued by the Director of Industrial Safety and Health, Chennai, vacating the closure order with permission to continue the production subject to 5 conditions stipulated therein.

6. The learned Senior Counsel for the petitioner submitted that in view of the above said order passed on 29.01.2020, this writ petition may be closed.

7. In view of the above stated facts and circumstances and the order dated 29.01.2020 passed by the Director of Industrial Safety and Health, Chennai, nothing survives in this writ petition to be adjudicated upon further. Accordingly, this Writ Petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

The Joint Director-I
Industrial Safety and Health
Coimbatore - 641 012.

+1cc to Mr.S.Bazeer Mohamed, Advocate SR.8725
+1cc to the Government Pleader SR.8608

W.P.No.34113 of 2019

RR(CO)
CB(02/03/2020)



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