



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.12.2020

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) .No.6331 of 2014
and
MP (MD) No.1 of 2014

Palanisamy

... Petitioner

-Vs-

1.The Principal Secretary to Government of Tamil Nadu,
Department of Transport,
Secretariat, St. George Fort,
Chennai.

2.The Chief Inspector/Deputy Commissioner of Labour,
(Minimum Wages), Chennai.

3.The Managing Director,
Tamil Nadu State Transport Corporation,
Kumbakonam, Thanjavur District.

4.The General Manager,
Tamil Nadu State Transport Corporation,
Thirumayam Road, Pudukkottai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to ensure the provisions of the Motor Transport Workers Act, 1961 and the Tamil Nadu Motor Transport Workers Rules, 1965 are followed are true letter and spirit by the respondents 3 and 4 and further award wages in accordance with rules to the employees of the third and fourth respondents as per the Tamil Nadu Motors Workers Rules, 1965.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.D.Muruganandham
Additional Government Pleader
(for R1 and R2)
Mr.D.Sivaraman
Standing Counsel (for R3 and R4)



ORDER

The relief sought for in the present writ petition is to direct the second respondent to ensure the provisions of the Motor Transport Workers Act, 1961 and the Tamil Nadu Motor Transport Workers Rules, 1965 are followed in letter and spirit.

2.This Court is of the considered opinion that there is no dispute that the respondents Corporation is bound to follow the statutes as well as the Rules. However, the general prayer sought for in the present writ petition is to direct the respondents to follow the statute is unnecessary. As any citizen or organisation or a legal entity is not followed the laws, appropriate actions are to be initiated against the persons concerned. In the present case, if at all the petitioner is aggrieved regarding the violation of the provisions of the statute or Rules, then, he is at liberty to approach the competent authority for the purpose of redressal of his grievances in the manner known to law. In other words, the petitioner has initiated appropriate action under the provisions of the Act and Rules for redressal of his grievances. Contrarily, the general direction is sought for to implement the laws became unnecessary, as it is implied and the duty of the authorities is to follow the law at all times.

3.With these observations, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sjj

To

1.The Principal Secretary to Government of Tamil Nadu,
Department of Transport,
Secretariat, St. George Fort,
Chennai.

2.The Chief Inspector/Deputy Commissioner of Labour,
(Minimum Wages), Chennai.

+1cc to Mr.D.Sivaraman, Advocate Sr.No.26332

W.P. (MD) .No.6331 of 2014

17.12.2020

VB (08.01.2021) 2P 4C