



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2021

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.3815 of 2019
and
W.M.P.No.4238 of 2019

M/s.Mahavir Plantations Pvt Ltd.,
Represented by its Director Lalu T.Bhansali,
Naduvattam,
Niligiris District.

...Petitioner

-Vs-

1. The State of Tamilnadu,
Rep. by its Secretary to Government,
Labour & Employment Department,
Fort St.George, Chennai - 9.
2. The Commissioner of Labour,
DMS Campus,
Teynampet, Chennai - 6.
3. The Joint Commissioner of Labour,
Conoor (In-charge),
Conoor.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 18.11.2018 and determine the entitlement of the workmen before dispersing the amounts and consequentially forebear the respondents from initiating any further action for recovery from the petitioner.

For Petitioner : Ms.Gayathri
for M/s.Ami V.Kataria

For Respondents : Mr.S.Arumugham,
Government Counsel

ORDER

With the consent of both the parties, this writ petition is taken up for final disposal.



2. The limited prayer sought for in the Writ Petition is for a direction to the first respondent to consider the petitioner's representation dated 18.11.2018, wherein they have sought for determination of the entitlement of the workmen before dispersing the amounts due to them.

3. The respondents herein have filed a counter affidavit dated 03.03.2020, in which it is stated that the petitioner's representation dated 18.11.2018 as well as their subsequent representation dated 17.02.2019 were considered and disposed of on 11.03.2019 itself and a copy of the same has also been despatched to the petitioner.

4. As such, the prayer sought for in this writ petition has become infructuous. However, if the petitioner is aggrieved against the reply of the respondents, liberty is hereby granted to the petitioner to challenge the same in accordance with law.

5. With the above liberty, the writ petition stands closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VII)
//True Copy//

Sub Assistant Registrar

hvk/ata

To

1. The Secretary to Government,
Labour & Employment Department,
Fort St. George, Chennai - 9.

2. The Commissioner of Labour,
DMS Campus,
Teynampet, Chennai - 6.

3. The Joint Commissioner of Labour,
Conoor (In-charge),
Conoor.

+1CC to Mr.Government Pleader, Sr.No.50140

W.P.No.3815 of 2019

and

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PCH (CO)

K.RK. (13.10.2021)