



W.P.Nos.4477 to 4479 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 12.12.2022

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

W.P.Nos.4477 to 4479 of 2016

and

W.M.P.Nos.3814, 3816 & 3818 of 2016 and 253, 257 & 258 of 2019

The Wen Knit Fashion,
Rep., by its Manager – A.Gogula Prabhu,

... Petitioner
in W.P.No.4477/2016

STP Clothing,
Rep., by its Partner – S.A.Selva Kumar

... Petitioner
in W.P.No.4478/2016

Renaissance RTW Asia (P) Limited – Unit 1,
Rep., by its Director – C.Anandkumar

... Petitioner
in W.P.No.4479/2016

Vs

State of Tamilnadu,
Represented by its Secretary,
Labour and Employment Department,
Fort St.George,
Chennai – 600 009

... Respondents
in all the W.Ps



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Common Prayer :- Writ Petitions filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records pertaining to the impugned Government Order passed by respondent in G.O.(2D) No.59, Labour and Employment (JI) Department dated 10.10.2014 and published in part II – Section 2 of the Tamil Nadu Gazette dated 03.12.2014 and quash the same.

For Petitioners : No Appearance

For Respondent : Mr.R.Neelakandan, AAG
Asst.by Mr.T.M.Rajangam,
Government Advocate

COMMON ORDER

Challenge to the impugned order in G.O.(2D) No.59, Labour and Employment (J1) Department dated 10.10.2014 and published in part II – Section 2 of the Tamil Nadu Gazette dated 03.12.2014 was also a subject matter of challenge before a batch of Writ Petitions in the case in *State of Tamil Nadu Vs. M/s.Sri Renga Apparels (India) Pvt. Ltd.*, in *W.A.No.867 of 2015 etc., batch dated 13.07.2016*. While upholding the



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present impugned Government order, certain directions were given in the following manner, which reads as follows:

“58.For the reasons stated above, the writ appeal filed by the State is allowed while the writ petitions filed by the employer/petitioners are dismissed directing the respective petitioners to comply with the notification issued in Government Order in G.O.(2D) No.59, Labour & Employment (J1) Department dated 10.10.2014 and published in Part-II-Section 2 of the Tamil Nadu Government Gazette dated 3.12.2014 for payment of the revised minimum wages. Since the workmen have not challenged the non-payment of minimum wages for the past period, as notified in various Government Orders referred to above, this Court is not precipitating the manner any further by passing any orders. However, this Court directs that minimum wages as notified shall be paid to the workers by the petitioners/management on and from the date of the notification as published in the Government Gazette, i.e., from December 2014. The petitioners/management are further directed to pay the minimum wages along with the arrears within two



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months from the date of receipt of a copy of this order along with interest at the rate of 6% p.a. from the date of notification till date of payment. It is further made clear that the petitioners/management shall continue to pay the minimum wages as notified without any default. However, liberty is granted to the petitioners/management to submit a representation to the Government as to the difficulties faced by them in payment of the minimum wages as notified and the respondent/Government shall consider the same at the time when revision is contemplated in future and after affording an opportunity of personal hearing to the petitioners/management, the Government shall pass orders in accordance with law while further revising the minimum wages as per the provisions of the Act.”

2. In view of the decision of the Hon'ble Division Bench in the aforesaid batch of writ petitions, no interference is required in the impugned order. However, it is made clear that the directions given in the aforesaid decision of the Hon'ble Division Bench in ***Sri Renga Apparels (India) Pvt. Ltd.***, case cited supra, would also be applicable to the



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petitioners herein.

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3. With the above observation, the Writ Petitions stand closed.

Consequently, connected miscellaneous petitions are also closed.

However, there shall be no order as to costs.

12.12.2022

AT

Index:Yes/No

Speaking/Non Speaking Order



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M.S.RAMESH,J.

AT

To
The Secretary,
State of Tamilnadu,
Labour and Employment Department,
Fort St.George,
Chennai – 600 009

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