



WEB COPY



W.P.Nos.10773, 11522, 11713, 11769, 12484 and 15702 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.Nos.10773, 11522, 11713, 11769,
12484 and 15702 of 2016**

And

**W.M.P.Nos.10133, 10134, 10166, 10167, 10801, 10802,
13630, 13631, 9426, 9427, 9951 and 9952 of 2016**

Pondicherry Chamber of Industries
Represented by its Vice President
Thiru.K.R.Shekar
Having their office at
1st Main Road, PIPDIC Industrial Estate
Opposite, PIPDIC Administrative office
Mettupalayam,
Pondicherry – 605 009.

... Petitioner in W.P.10773/2016

Vs.

The Government of Puducherry
Represented by its Secretary to Government,
Labour Department,
Pondicherry.

... Respondent in W.P.10773/2016

Prayer in W.P.No.10773 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records on the file of the respondent in GO.Ms.14/AIL/Lab./G/2015, dated 09.10.2015, and quash the proceedings therein as illegal, incompetent, unconstitutional and unreasonable.



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For Petitioners : Ms.V.Srimathi
in all W.Ps. Except W.P.11522/2016
Mr.M.Krishnappa
Senior Counsel
for M/s.R.Swarnalatha
in W.P.11522/2016

For Respondents : Mr.A.Tamilvanan
Government Advocate (Pondy)
for respondent
in all W.Ps. Except W.P.11522/2016
and for R1 in W.P.11522/2016

COMMON ORDER

Since the issue involved in all these writ petitions are similar in nature, they are heard together and disposed of by way of a common order.

2.The grievance of the petitioners is that the Government of Puducherry vide impugned Government Orders, had amended or revised the minimum rates of wages payable to employees employed almost all the industries operating within the Union Territory having no nexus to the prevailing rates in the neighbouring States. Hence, these writ petitions.

3.The learned Senior Counsel appearing for the petitioner in W.P.No.11522 of 2016 submitted that the Government of Puducherry



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without giving any opportunity to the stakeholders issued the impugned Government Orders. However, as per the Minimum Wages Act, once in five years the minimum rates of wages payable to employees have to be revised and already the five year period have elapsed and the impugned Government Orders have not yet been implemented due to the order of this Court dated 30.06.2016 made in these writ petitions. Hence, this Court may close these writ petitions by granting permission to the respondent/ Government of Puducherry to revise the minimum rates of wages payable to employees after providing opportunity to the stakeholders by following the procedures contemplated under the relevant Rules and Regulations.

4.In view of the above, this Court directs the respondent/ Government of Puducherry to revise the minimum rates of wages payable to employees after providing opportunity to the stakeholders by following the procedures contemplated under the relevant Rules and Regulations. Admittedly, the impugned Government Orders have not yet been implemented. Hence, the impugned Government Orders need not be implemented retrospectively.



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M.DHANDAPANI,J.
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5.The writ petitions are closed. No costs. Consequently, the connected miscellaneous petitions are closed.

12.07.2023

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

To

The Government of Puducherry
Represented by its Secretary to Government,
Labour Department,
Pondicherry.

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And
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