



WEB COPY



W.P.No.3308 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2023

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.3308 of 2018

and

WMP.No.4050 of 2018

R.Damodaran,
Secretary, Uzhaippor Urimai Iyakkam,
Representing M/s M.Kunjammal & 209 workers,
126, Eswaran Koil Street, Opp. Pricol Co. Op. Society,
Periyanaickenpalayam, Coimbatore - 641 020.

...Petitioner

Vs.

1. The Assistant Commissioner of Labour,
(Authority under the Contract Labour
Regulation & Abolition) Act, 1970,
O/o. of the Deputy Commissioner of Labour,
Balasundaram Road, Coimbatore.
2. The Commissioner,
Coimbatore Corporation,
Town Hall, Coimbatore – 641 001.
3. The Director,
Vardhan Infrastructures,
17, Nethaji Main Road, Udayanpalayam,
Coimbatore - 641 028.

...Respondents



W.P.No.3308 of 2018

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to consider and dispose of the petitions filed by 210 contract workers dated 16.11.2016 claiming wages on par with the regular and permanent workmen within a time frame.

For Petitioner : Mr.K.M.Ramesh

For Respondents : Mr.S.John J.Raja Singh, AGP, for R1
: Mr.M.Elumalai
for Mr.K.Magesh, for R2

ORDER

The petitioner has filed this Writ petition seeking direction to the 1st respondent to consider and dispose of the petitions dated 16.11.2016, filed by 210 contract workers, claiming wages on par with the regular and permanent workmen.

2. The case of the petitioner is that the petitioner-iyakkam represents 210 workers, who are working as sanitary workers under the 3rd respondent contractor, engaged by the 2nd respondent corporation as Principal employer. While so, the workmen have filed petitions/representations dated 16.11.2016 before the 1st respondent seeking direction to the 2nd and 3rd respondents to pay the same wages which is being paid to the regular sanitary workers



W.P.No.3308 of 2018

employed by the 2nd respondent, however, till date, no orders have been passed on the said petitions. Hence, this Writ petition.

3. Though very many grounds have been raised, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the 1st respondent to consider the petitions/representations dated 16.11.2016 made by the workmen and to consequently, pay them wages on par with the regular and permanent workmen.

4. Learned Additional Government Pleader appearing for the 1st respondent submitted that appropriate orders will be passed on the petitions/representation dated 16.11.2016 filed by the workmen within the time stipulated by this Court.

5. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the 1st respondent to consider the petitions/representations dated 16.11.2016 filed by the workmen on merits and pass appropriate orders in terms of the Contract Labour (Regulation & Abolition) Act, 1970, within a period of four weeks from the



W.P.No.3308 of 2018

date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioner and aggrieved persons, if any.

6. This Writ petition is accordingly disposed of. No costs.

Consequently, connected Miscellaneous petition is closed.

25.08.2023

skt

NCC : Yes/ No
Speaking Order : Yes/ No
Index : Yes/ No

To

1. The Assistant Commissioner of Labour,
(Authority under the Contract Labour
Regulation & Abolition) Act, 1970,
O/o. of the Deputy Commissioner of Labour,
Balasundaram Road, Coimbatore.
2. The Commissioner,
Coimbatore Corporation,
Town Hall, Coimbatore – 641 001.
3. The Director,
Vardhan Infrastructures,
17, Nethaji Main Road, Udayanpalayam,
Coimbatore - 641 028.

4/5



WEB COPY



W.P.No.3308 of 2018

M.DHANDAPANI., J.

skt

W.P.No.3308 of 2018
and
WMP.No.4050 of 2018

25.08.2023