



WMP Nos.9772 of 2022 and 3116 of 2023 in W.P.No.10066 of 2022

**WMP Nos.9772 of 2022 and 3116 of 2023
in W.P.No.10066 of 2022**

M.S.RAMESH, J.

On a prima-facie view, when the authority, under the Payment of Wages Act, had initiated proceedings for payment of wages, the petitioner was not a party to the proceedings. According to the petitioner, he had leased out the property in favour of one M/s Sumukha Synthetics. Though the respondent trade union was a party to the proceedings before the Authority, had not raised any objection with regard to the alleged employment status with M/s Sumukha Synthetics and has also has not substantiated that they are continued to be the workers of the petitioner herein.

2. The learned counsel for the petitioner attempted to make a submission that though the members of the trade union continued to be the workers under the petitioner spinning mills and therefore, there is no infirmity in the proceedings of the official respondents for attachment of the property, this court is of the view that when the petitioner Mill was not



WMP Nos.9772 of 2022 and 3116 of 2023 in W.P.No.10066 of 2022



WEB COPY

M.S.RAMESH, J.

sr

subjected to the proceedings under the Payment of Wages Act, the attachment of their property at this stage may not be appropriate.

3. However, these prima-facie views could be deliberated at a later stage, when the writ petition is taken up for final disposal. In the light of the above observations, W.M.P.No.3116 of 2023, seeking to vacate the order of interim stay stands dismissed and the interim stay granted on 11.05.2022 in WMP No.9772 of 2022 is made absolute.

Post the writ petition for final disposal on 28.06.2023.

29.03.2023

1/2

sr

WMP Nos.9772 of 2022 and 3116 of 2023
in W.P.No.10066 of 2022