



WMP(MD) No.18117 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Tuesday, the Fifth day of September Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice BATTU DEVANAND

WMP(MD) No.18117 of 2023

IN

WP(MD) No.14216 of 2019

THE ADDITIONAL CHIEF SECRETARY AND
CHAIRMAN OF STATE TRANSPORT UNDERTAKINGS,
FORT ST.GEORGE, CEHNNAI-16 ... PETITIONER

Vs

1 ARASU POKKUVARATHU MADURAI THOZHILALARGAL SANGAM,
REP. BY ITS GENERAL SECRETARY, A.KANAGASUNDAR,

2 THE TAMIL NADU STATE TRANSPORT CORPN(MAD) LTD.
REP. BY ITS MANAGING DIRECTOR,
BY PASS ROAD, MADURAI-16

3 THE CHIEF FINANCIAL OFFICER
THE TNSTC(MAD) LTD.,
BYE PASS ROAD, MADURAI

4 THE INSPECTOR OF LABOUR (ENFORCEMENT),
LABOUR DEPARTMENT, TN HOUSING BOARD
COMMERCIAL COMPLEX, ELLIS NAGAR,
MADURAI

5 THE ASSISTANT COMMISSIONER OF LABOUR, (ENFORCEMENT),
LABOUR DETP., COLLECORATE, VIRUDHUNAGAR



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6 THE ASSISTANT COMMISSIONER OF LABOUR (ENFORCEMENT),
LABOUR DEPARTMENT, 66, THONDI ROAD,
SIVAGANGAI ... RESPONDENTS

Writ Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to Grant Leave to the Petitioner / 1st respondent to file Counter Affidavit in the writ petition in WP (MD) No.14216 of 2019 and direct the Registry of the Honble High Court of Madras at Madurai Bench to accept the Counter Affidavit and render justice.

Prayer in WP(MD). 14216/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 1st respondent to pay temporary workers (Drivers, Conductors and Non ITI Helper/Junior Tradesman including daily paid and reserve crew employees) working in the 1st respondent corporation at rates not below what has been prescribed in G.O(2D) No.120, Labour and Employment (J1) Department dated 31.12.2018 r/w the statement bearing Z3/7657/2019 dated 18.03.2019.

ORDER : This Writ Miscellaneous Petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.A.KANNAN, Additional Government Pleader for the petitioner and of on behalf of the Respondents the court made the following order:-

This petition is filed to grant leave to the petitioner to file counter affidavit in the main Writ petition and to direct the Registry to accept the counter.

2. Having considered the averments made in the accompanying affidavit and in view of the importance of the issue involved in this Writ Petition, this petition is allowed on condition of payment of Rs.5,000/- (Rupees Five thousand only) towards costs to be paid to the Madurai Bench of Madras High Court Bar Association within a period of one week and file proof of payment within one week.



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3. Accordingly, the Registry is directed to accept counter affidavit.

4. The learned counsel for the petitioner submits that he is going to file a re-joinder against the counter affidavit filed by the respondents.

5. Post on 12.09.2023.

sd/-
05/09/2023

/ TRUE COPY /

/09/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

CM
TO

- 1 THE ADDITIONAL CHIEF SECRETARY AND
CHAIRMAN OF STATE TRANSPORT UNDERTAKINGS,
FORT ST.GEORGE, CEHNNAI-16
- 2 THE TAMIL NADU STATE TRANSPORT CORPN(MAD) LTD.
REP. BY ITS MANAGING DIRECTOR,
BY PASS ROAD, MADURAI-16
- 3 THE CHIEF FINANCIAL OFFICER
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MADURAI
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6 THE ASSITANT COMMISSIOENR OF LABOUR (ENFORCEMENT),
LABOUR DEPARTMENT , 66, THONDI ROAD,
SIVAGANGAI

COPY TO
THE OFFICER INCHARGE,
MADURAI BENCH OF MADRAS HIGH COURT BAR ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
WMP(MD) No.18117 of 2023
IN
WP(MD) No.14216 of 2019
No. of
Date :05/09/2023

PKP/VRS/SAR- /07.09.2023/ 4P/ 8C

Madurai Bench of Madras High Court is issuing certified
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