



W.A.No.1379 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.06.2024

CORAM :

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.A.No.1379 of 2022

1. The Commissioner
Greater Chennai Corporation
Rippon Buildings,
Chennai – 600 003.

2. The Superintending Engineer
Solid Waste Management
Greater Chennai Corporation
Rippon Buildings
Chennai – 600 003.

.. Appellants

Vs

1. The Secretary to Government
Municipal Administration and
Water Supply Department
Fort St.George, Chennai – 600 009.

2. Uzhaippor Urimai Iyakkam
Rep by its President, K.Bharathi
23A, Mariamman Kovil Street
Kalyanapuram, Ambattur
Chennai – 600 053.

.. Respondents



W.A.No.1379 of 2022

Prayer: Appeal under Clause 15 of the Letters Patent to set aside the order dated 7.1.2022 passed by the learned Single Judge in W.P.No.8281 of 2021.

For the Appellants : Ms.P.T.Ramadevi

For the Respondents : Mr.V.Manoharan
Addl. Government Pleader
for 1st respondent

: Mr.S.Kumarasamy
for 2nd respondent

JUDGMENT

(Delivered by *D.KRISHNAKUMAR,J.*)

Heard Ms.P.T.Ramadevi, learned counsel for the appellants; Mr.V.Manoharan, learned Additional Government Pleader appearing on behalf of the first respondent; and Mr.S.Kumarasamy, learned counsel for the second respondent.

2. Assailing the order dated 7.1.2022 passed by the learned Single Judge, respondents 1 and 2 in the writ petition have filed this writ appeal. The second respondent herein has filed the writ



W.A.No.1379 of 2022

petition.

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3. When the matter was taken up for hearing today, Mr.S.Kumarasamy, learned counsel appearing on behalf of the original writ petitioner/second respondent herein, submitted that the original writ petitioner/second respondent herein may be permitted to withdraw the writ petition itself.

4. Learned counsel for the appellants has no serious objection to the aforesaid request made by learned counsel for the second respondent to withdraw the writ petition. He further submitted that vide G.O.(2D) No.36, Labour Welfare and Skill Development (J1) Department, dated 16.6.2023, the government had revised the minimum rates of wages for the employment under the local authority and the second respondent had already filed W.P.No.26344 of 2023 challenging the said Government Order and a learned Single Judge of this Court, vide order dated 11.9.2023, granted an order of interim stay. As the original writ petitioner/second respondent herein is assailing the subsequent



W.A.No.1379 of 2022

government order dated 16.6.2023, it may be clarified that the directions given and/or observations made by the learned Single Judge in the order impugned in this appeal will not have any bearing on the the rights of any of the parties.

5. Acceding to the request made by learned counsel for the original writ petitioner/second respondent herein, the writ petition is dismissed as withdrawn.

6. In view of the withdrawal of the writ petition, the order of the writ court is set aside and, consequently, the writ appeal is allowed with liberty to the second respondent to seek its remedy before the appropriate forum. There shall be no order as to costs. Consequently, C.M.P.No.8840 and 10076 of 2022 are closed.

(D.K.K., J.) (K.B., J.)
18.06.2024

Index : Yes/No
NC : Yes/No
sasi



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W.A.No.1379 of 2022



W.A.No.1379 of 2022

To:
The Secretary to Government
Municipal Administration and
Water Supply Department
Fort St.George, Chennai – 600 009.



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W.A.No.1379 of 2022

D.KRISHNAKUMAR,J.
AND
K.KUMARESH BABU,J.

(sasi)

W.A.No.1379 of 2022

18.06.2024