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W.A.No.2419 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2024

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR. JUSTICE K.RAJASEKAR

W.A.No.2419 of 2023

M.Ramanathan

... Appellant/ Petitioner

Vs.

1. The Management,
Asian Paints, Sipot,
Cuddalore-607 005.

2. The Presiding Officer,
Labour Court, Cuddalore.

... Respondents/Respondents

Prayer :- Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order passed in W.P. No.23346 of 2014 dated 07.03.2023 and allow this Writ Appeal.

For Appellant : Mr.R.Muralidharan

For Respondent : Mrs.D.Veda (for R1);

Labour Court (R2).



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JUDGEMENT

(Judgement of the Court was delivered by S.M.Subramaniam J.)

The writ appeal has been instituted against the order passed in W.P. No.23346 of 2014 dated 07.03.2023.

2. The writ petitioner is the appellant before us. The appellant filed C.P.No.51 of 2012 before the Labour Court, Cuddalore, under Section 33(C)(2) of the Industrial Disputes Act, 1947, for payment of one day salary which was withheld in April 2012.

3. The Labour Court rejected to entertain the petition on the ground that the petitioner has to approach the appropriate authorities. The writ petition was instituted questioning the validity of the order passed by the Labour Court. The Writ Court also reiterated by stating that the petitioner has to redress his grievances under the provisions of the Payment of Wages Act, 1936, more specifically, by approaching the competent Authority under Section 15 of the said Act. The Writ Court made a finding that the entitlement of the workmen cannot be determined.



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4. We do not find any infirmity in respect of the findings made both by the Labour Court and the Writ Court. Thus, the appellant is at liberty to approach the designated authority under the Payment of Wages Act, 1936, by following the procedures.

5. With these liberties, the writ appeal stands disposed of. No costs.

(S.M.S.J.,)

(K.R.S.J.,)

26.03.2024

Index : Yes/No

Internet: Yes/No

Speaking order/Non-Speaking order

Neutral Citation : Yes/No

(sha)

To

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Cuddalore-607 005.

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S.M.SUBRAMANIAM, J.

and

K.RAJASEKAR, J.

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