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W.P.No.23743 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.23743 of 2015

P.Rangaswamy

... Petitioner

Vs.

1.The Authority under the Payment of Wages,
Puducherry.

2.The Managing Director,
A.F.T (PTC) Ltd.,
A Unit of Puducherry Textiles Corporation Ltd.,
Mudaliarpet,
Puducherry.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the first respondent pertains to the impugned order passed in PWA.No.5 of 2013 dated 29.09.2014 on the file of Authority under Payment of Wages Act 1936 and quash the same consequently direct the first respondent pay the petitioner wage for the period from the month of January 2012 to 13.04.2012.

For Petitioner : Mr.P.R.Thiruneelakandan
For Respondents : Mr.V.Vasanthakumar
Additional Government Pleader (P)



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ORDER

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The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus to call for the records of the first respondent pertaining to the order passed in PWA.No.5 of 2013 dated 29.09.2014 on the file of Authority under Payment of Wages Act, 1936 and quash the same, consequently direct the first respondent to pay the petitioner wage for the period from January, 2012 to 13.04.2012.

2.The learned counsel appearing for the petitioner submitted that the petitioner is working as security supervisor in the second respondent mill. The factory was declared as paid holiday to all the employees for the period period from 31.12.2011 to April, 2012 due to 'thane' cyclone, however, the petitioner was not paid salary for the period from January, 2012 to 12.04.2012 and hence, the petitioner made representation to the second respondent claiming unpaid wages and since it evoked no response, filed PWA.No.5 of 2013 before the Authority under Payment of Wages Act, 1936, however, the petitioner's claim was not granted by the first respondent.

3.Heard the learned counsel appearing for the petitioner as well as the learned Additional Government Pleader (P) and perused the



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materials available on record.

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4.Perusal of records disclose, that the petitioner filed PWA.No.5 of 2013 before the first respondent claiming salary for the period from January, 2012 to 12.04.2012, however, there is no averment in the application with regard to his entitlement for the salary for the period from January, 2012 to 12.04.2012 and hence the said application itself is mis-conceived and the same was rightly appreciated by the first respondent, which warrants no interference.

5.The writ petition is dismissed. No costs.

05.03.2025

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

1.The Authority under the Payment of Wages,
Puducherry.

2.The Managing Director,
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A Unit of Puducherry Textiles Corporation Ltd.,
Mudaliarpet,
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M.DHANDAPANI,J.
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