



W.P.Nos.24592 of 2013, 24554 of 2014 & 24786 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2025

CORAM :

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.Nos.24592 of 2013, 24554 of 2014 & 24786 of 2023

and

MP.Nos.1 of 2013 & 1 of 2014, WMP.Nos.24206 of 2023 and 951, 21252 & 35996 of 2024

W.P.Nos.24592 of 2013 & 24554 of 2014:

Salem Mandala Mesia Kattumana Matrum Amaippusara Tholilar Peravai
(Registration No.1313/SLM/2009)

Rep. by President A.Daniel Raja

No.287 Kamarajar Road,

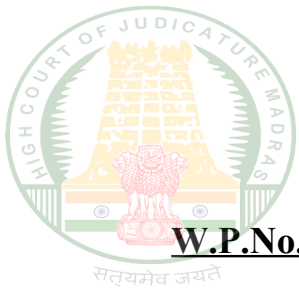
Opp. Government Hospital, Attur – 636 102,

Attur Taluk, Salem District.

...Petitioner in both W.P's.

Vs.

1. Tamilnadu Construction Workers' Welfare Board,
Rep. by its Chairman,
No.8 Valluvar Kottam Main Road,
Nungambakkam, Chennai – 600 034. ...1st Respondent in both W.P's.
2. The Labour Office,
Rep. by Labour Officer (LOSS),
Social Security Scheme,
No.7 Cholan Street,
Salem-7. ...2nd Respondent in W.P.No.24592 of 2013
3. The Labour Officer (LOSS),
Social Security Scheme,
No.7 Cholan Street,
Salem-7. ...2nd Respondent in W.P.No.24554 of 2014



W.P.Nos.24592 of 2013, 24554 of 2014 & 24786 of 2023

W.P.No.24786 of 2023:

WEB COPY Salem Mandala Mesia Kattumana Matrum Amaippusara Thozhilalar Peravai
(Registration No.1313/SLM/2009)

Rep. by its General Secretary A.Daniel Raja
No.287, Kamarajar Road,
Opp. to Government Hospital, Athur,
Athur Taluk, Salem District – 636 102.

...Petitioner

Vs.

1. The Additional Chief Secretary,
Government of Tamil Nadu,
Labour and Employment Department,
St. George Fort, Secretariat,
Chennai – 600 009.
2. The Commissioner of Labour,
O/o. The Commissioner of Labour,
DMS Building,
Teynampet, Chennai – 600 006.
3. The Tamil Nadu Construction Workers Welfare Board,
Rep. by its Chairman
No.8, Valluvar Kottam Main Road,
Nungambakkam, Chennai – 600 034.
4. The Assistant Commissioner of Labour,
Social Security Schemes,
Gorimedu, Salem – 636 008.

...Respondents

Prayer in W.P.No.24592 of 2013: Writ Petition filed under Article 226 of Constitution of India pleased to issue a Writ of Certiorari, calling for records of impugned proceedings in Na.Ka.No.A1/12424/10-5 dated 29.04.2013 issued by 2nd respondent and quash the same.



W.P.Nos.24592 of 2013, 24554 of 2014 & 24786 of 2023

Prayer in W.P.No.24554 of 2014: Writ Petition filed under Article 226 of Constitution of India pleased to issue a Writ of Certiorari, calling for the records pertaining to the order of the 2nd respondent passed in his proceedings Na.Ka.No.191/2014 dated 30.07.2014 and quash the said order dated 30.07.2014.

Prayer in W.P.No.24786 of 2023: Writ Petition filed under Article 226 of Constitution of India pleased to issue a Writ of Certiorari, calling for the records of the impugned order of the 4th respondent in Na.Ka.No.980/2023 dated 10.07.2023 and quash the same.

In W.P.Nos.24592 of 2013 & 24554 of 2014:

For Petitioner : Mr.S.Peeriyaswami

For Respondents : Mrs.S.Valliammal

In W.P.No.24786 of 2023:

For Petitioner : Mr.C.Samivel

For Respondents : Mr.K.Surendran, AGP, for R1 & R2
: Mrs.S.Valliammal, for R3 & R4

COMMON ORDER

Since the issue involved in all these Writ petitions are similar in nature, they are disposed of by way of this common order.



W.P.Nos.24592 of 2013, 24554 of 2014 & 24786 of 2023

WEB COPY 2. These writ petitions are filed as against the orders passed by the Labour Officer and Assistant Commissioner of Labour in W.P.Nos.24592 of 2013 & 24554 of 2014 and W.P.No.24786 of 2023 respectively.

3. It is the case of the petitioner that, it is a Trade Union registered under the Trade Unions Act, 1926, having around 900 members and espousing the cause of construction workers/ members employed in Salem District in the State of Tamil Nadu. The Government, with a view to render financial assistance to the workers involved in manual work, had enacted the Tamil Nadu Manual Workers (Regulation of Employment and Condition of Work) Act 1982. The said Act is a welfare oriented one and it rendered mandatory assistance for the workers in matters of education, marriage, maternity, death, accident, old age pension and funeral assistance. The petitioner herein was authorized to recommend workers who are eligible for availing benefits under the said Act. While so, the authorities have passed the present impugned orders alleging that the petitioner Union has repeatedly recommended financial assistance to the legal heirs under death benefits scheme by producing bogus death certificates and the petitioner had also recommended for death benefits to Legal heirs in a case where a worker had committed



W.P.Nos.24592 of 2013, 24554 of 2014 & 24786 of 2023

suicide, by giving bogus certificate stating that the worker had met a natural

death. Likewise, the petitioner Union has recommended for educational assistance to a girl child of one worker, however, on verification by the respondent authorities, it was found that no such girl ever studied in the said educational institution and the petitioner has given a false certificate recommending education assistance. The Act was enacted with a noble objective of rendering financial assistance to deserving candidates. Because of the petitioner issuing bogus certificates to undeserving people, the real intention of the Act has been defeated. Thereby, vide the impugned orders, the authorities have barred the petitioner from functioning as an authority to recommend any application and implementing the welfare schemes to its members/workers, assailing which, the petitioner has come up with these Writ petitions.

4. Heard learned counsel on either side and perused the materials available on record.

5. Though very many grounds have been raised by the learned counsel on either side at the time of arguments, it is brought to the notice of this Court that during the pendency of these Writ petitions, earlier procedure of



W.P.Nos.24592 of 2013, 24554 of 2014 & 24786 of 2023

WEB CON submission of application of the beneficiaries by the petitioner organisation was modified and online uploading of application system was introduced, as a result of which, the possibility of uploading bogus certificates or filing of false claims as alleged to have been done by the petitioner, have been curtailed and therefore, there is no need for any voluntary organisation like that of the petitioner to upload the applications. In view of the above, this Court is of the view that nothing survives for further adjudication in these Writ petitions.

6. For the reasons aforesaid, these Writ petitions stand dismissed with a liberty to the petitioner to workout its remedy in the manner known to law. No costs. Consequently, the connected Miscellaneous petitions are closed.

24.02.2025

skt

Index	: Yes / No
Speaking order	: Yes / No
NCC	: Yes / No



W.P.Nos.24592 of 2013, 24554 of 2014 & 24786 of 2023

WEB COPY

1. The Additional Chief Secretary,
Government of Tamil Nadu,
Labour and Employment Department,
St. George Fort, Secretariat, Chennai – 600 009.
2. The Commissioner of Labour,
O/o. The Commissioner of Labour,
DMS Building, Teynampet, Chennai – 600 006.
3. The Tamil Nadu Construction Workers Welfare Board,
Rep. by its Chairman
No.8, Valluvar Kottam Main Road,
Nungambakkam, Chennai – 600 034.
4. The Assistant Commissioner of Labour,
Social Security Schemes,
Gorimedu, Salem – 636 008.
5. The Labour Office,
Rep. by Labour Officer (LOSS),
Social Security Scheme,
No.7 Cholan Street, Salem-7.



WEB COPY



W.P.Nos.24592 of 2013, 24554 of 2014 & 24786 of 2023

M.DHANDAPANI, J.

skt

W.P.Nos.24592 of 2013, 24554 of 2014 & 24786 of 2023
and
MP.Nos.1 of 2013 & 1 of 2014, WMP.Nos.24206 of 2023 and 951, 21252 &
35996 of 2024

24.02.2025