



W.P.No.13942 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.13942 of 2019

And

W.M.P.No.14001 of 2019

Western Express (P) Ltd. Workers Union,
Represented by its Secretary
Mr.R.Velaudham

... Petitioner

Vs.

1.The District Collector,
Thiruvannamalai District.

2.The District Collector,
Thiruvallur District.

3.The Assistant Commissioner of Labour – I
DMS Compound,
Thenampet,
Chennai – 06.

4.ARCIL – Asset Reconstruction Company (India) Ltd.,
Having its Head Office at 'The Ruby', 10th Floor,
Senapathi bapat Marg, Dadar (West) Mumbai – 400 028.
Having its branch office at No.1, 2nd Floor at No.39,
Montieth Road, Egmore, Chennai – 08.

5.M/s.Western Express P.Ltd.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to
issue a Writ of Mandamus directing the respondents 1 to 3 to recover



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the dues sum of Rs.32,82,466/- under the minimum wages order dated 28.02.2008 passed by the third respondent in M.W.Case No.11/2007 along with interest @ 18 PA from the date of order i.e. 28.02.2008 to the date of realisation from the assets of fifth respondent and also by initiating action against the fourth and fifth respondents in accordance with law within the period as stipulated by this Hon'ble Court and pay the same to the petitioner union workers and consequently direct the fourth respondent company to settle the minimum wages due, sum of Rs.32,82,466/- under the minimum wages order dated 28.02.2008 passed by the third respondent in M.W.Case No.11/2007 along with interest @ 18 PA from the date of order i.e. 28.02.2008 to the date of realisation, before realising their dues.

For Petitioner : No Appearance
For Respondents : Mr.K.Surendran for R1 to R3
Additional Government Pleader
Ms.Jayanthi for R4
R5 – NRN

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents 1 to 3 to recover the dues sum of Rs.32,82,466/- under the minimum wages order dated 28.02.2008 passed by the third respondent in M.W.Case No.11/2007 along with interest @ 18 PA from the date of order i.e. 28.02.2008 to the date of realisation from the assets of fifth respondent and also by initiating action against the fourth and fifth respondents in accordance



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with law within the period as stipulated by this Court and pay the same to the petitioner union workers and consequently direct the fourth respondent company to settle the minimum wages due, sum of Rs.32,82,466/- under the minimum wages order dated 28.02.2008 passed by the third respondent in M.W.Case No.11/2007 along with interest @ 18 PA from the date of order i.e. 28.02.2008 to the date of realisation, before realising their dues.

2.Considering the limited relief sought for in this writ petition, this Court without going into the merits of the case, directs the first respondent to implement the order dated 28.02.2008 passed by the third respondent in M.W.Case No.11/2007, if there is no legal impediment, within a period of twelve weeks from the date of receipt of a copy of this order.

3.The writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

07.04.2025

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

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M.DHANDAPANI,J.
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To

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