



W.P.No.23154 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.23154 of 2018

and

W.M.P.Nos.27052, 27053, 33543 & 33545 of 2018

M/s.Mahavir Plantations Pvt Ltd.,
Represented by its Director Lalu T.Bhansali,
Naduvattam,
Niligiris District.

... Petitioner

Vs.

The State of Tamil Nadu,
Represented by its Principal & Secretary to Government,
Labour & Employment Department,
Fort St.George, Chennai – 9.

... Respondent

Prayer : Writ Petition filed under Article 226 of Constitution of India
pleased to issue a Writ of Certiorarified Mandamus, calling for the
records relating to the order of the 1st respondent in G.O.Ms.No.424,
Labour and Employment Department dated 10.07.2018 and quash the
same and consequently forebear the respondent from initiating any
further action for recovery from the petitioner.

For Petitioner : Mr.C.Vigneswaran
for M/s.Ami V.Kataria

For Respondent : Mr.K.Surendran
Additional Government Pleader

ORDER



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Challenging the impugned order in G.O.Ms.No.424, Labour and Employment Department, dated 10.07.2018 passed by the respondent, the petitioner management has filed the present writ petition.

2. For non-compliance of the order passed by the Apex Court in Conmt.Pet.(C).No.16 of 2012 in W.P.(C) No.365 of 2006, the respondent-State Government passed the Government Order in G.O.Ms.No.424, Labour and Employment Department dated 10.07.2018, directing the petitioner management to deposit the amount otherwise, prosecution will be initiated. Challenging the order of recovery pursuant to the order passed by the Apex Court, the present writ petition has been filed.

3. Learned counsel appearing for the petitioner submitted that the very same contempt petition and the writ petition are pending before the Hon'ble Apex Court, wherein the Apex Court has passed series of order. Hence, this Court may close this writ petition by granting liberty to the petitioner to renew this writ petition after disposal of the second appeal, if it is necessary.



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4. Recording the same, this Writ Petition is closed with the above liberty. However, the State Government is directed to restore the G.O. on the basis of the order passed by the Apex Court and initiate recovery proceedings in terms of the order of the Apex Court. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

23.04.2025

Index : Yes / No
Speaking order / Non-speaking order
NCC:Yes/No
sp

To

- 1.The General Manager,
Southern Railways,
Office of the Southern Railways,
Chennai – 600 003.
- 2.The Senior Divisional Mechanical Engineer/MAS,
Divisional Southern Railway Manager/Mechanical,
Divisional Office,
Southern Railways,
Chennai – 600 003.
- 3.The Coaching Depot Officer,
Basin Bridge,
Southern Railway,
Chennai – 600 003.

M.DHANDAPANI, J.



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4. The Deputy Chief Labour Court Commissioner (Central),
No.4, Haddows Road,
Shastri Bhavan,
Chennai – 600 006.

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