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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2025

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.17909 of 2019

G.Solaimalai Kannan

...Petitioner

Vs

1.The Regional Labour Commissioner,
O/o.the Regional Labour Commissioner,
Kanaga Appartments, Suite No.3,
I Floor, 13A Lady Doak College Road,
Chinnachokkikulam, Madurai - 625 002.

2.The Manager,
M/s.Eagle Infra India Limited,
Kappalur Toll Gate,
Thirumangalam, Madurai.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a **Writ of Mandamus** directing the 1st respondent to take appropriate action against the 2nd respondent based on the order issued by the 1st respondent dated 20.07.2018. on the file of the 1st respondent.

For Petitioner : M/s.J.Selvin Rajesh

For Respondents : Mr.N.Jeyakumar for R1
Mr.C.Sasikumar for R2

* * * * *



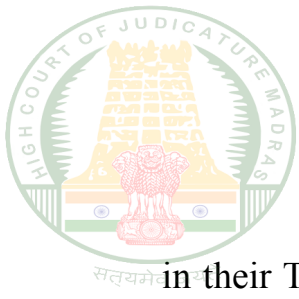
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ORDER

The present writ petition has been filed by the General Secretary of a Trade Union seeking a mandamus to initiate legal action as against the second respondent herein based upon the show cause notice issued by the first respondent herein on 20.07.2018.

2. According to the learned Counsel appearing for the writ petitioner, he was employed as a Toll Operator in the Toll Plaza run by the second respondent. He has approached the conciliation authorities on 08.07.2017. When the conciliation proceedings were pending, he was illegally terminated on 09.05.2018. For initiating legal action as against the second respondent, a show cause notice was issued by the first respondent to the second respondent on 20.07.2018. Since no action was initiated by the first respondent, the present writ petition has been filed.

3. Pending writ petition, it is brought to the notice of the Court that the contract of the second respondent at Thirumangalam, Toll Plaza, had expired on 27.07.2018. Though the Management had offered to accommodate the petitioner



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in their Toll plaza at Krishnagiri or in Chennai, the workmen is not ready to get accommodated in those places. When he insisted for the salary for the period between 09.05.2018 and 27.07.2018, the learned Counsel appearing for the second respondent has agreed to pay the said salary to the writ petitioner, in order to arrive at the settlement.

4. In view of the above said deliberations, the second respondent is directed to pay two months salary of the writ petitioner based upon the last drawn wages, within a period of 12 (twelve) weeks from the date of receipt of a copy of this order.

5. Accordingly, this Writ Petition stands disposed of. No costs.

11.07.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR



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R.VIJAYAKUMAR, J.

RJR

To

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