

WP(MD) No.11230 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Special Original Jurisdiction)

Monday, the Tenth day of March Two Thousand and Twenty Five

PRESENT

The HONOURABLE MR. JUSTICE V. LAKSHMINARAYANAN

WP(MD) No.11230 of 2019

P.Sinkaran

...Petitioner

-VS-

The Assistant Commissioner of Labour,
Tirunelveli,
Tirunelveli District & 4 Others.

...Respondents

For Petitioner : Mr.S.C.Herold Singh

For Respondent 1 : Mr.G.Suryananth,
Additional Government Pleader

For Respondents 2 to 5 : Mr.B.Vijay Karthikeyan

ORDER

Mr.G.Suryananth, Additional Government Pleader, takes notice for the first respondent.

2. Perusal of the counter affidavit of the second respondent shows that the



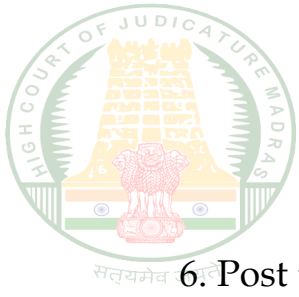
WP(MD) No.11230 of 2019

impugned order has been passed, on the basis of the proceedings initiated by the first respondent holding that the Principal Employer Licence, that was given to the petitioner, was a result of an act of forgery. The respondents 3,4, and 5 have merely adopted the said proceedings and cancelled the licence of the writ petitioner as Class - I Contractor. The second respondent, in paragraph 6 of the counter, has stated that he relied upon the proceedings of the first respondent and consequently the impugned order was passed.

3. Mr.B.Vijay Karthikeyan, learned counsel appearing for the respondents 2 to 5, states that they have not conducted an independent enquiry and they have relied upon the enquiry conducted by the first respondent.

4. Mr.S.C.Herold Singh, learned counsel for the petitioner, states that prior to cancellation of Class-I licence of the petitioner, no enquiry was conducted by the first respondent or by the Deputy Commissioner of Labour. On this point, Mr.Suryananth states that he will file a counter affidavit or produce written instructions from the first respondent.

5. Written instructions must specifically state whether enquiry was conducted and the petitioner was heard prior to cancellation of licence. In case written instructions are not produced by the next date of hearing, heavy costs will be imposed on the first respondent.



WP(MD) No.11230 of 2019

6. Post the matter on 12.03.2025.

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sd/-
10/03/2025

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12/03/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DIXIT
TO

1 THE ASSISTANT COMMISSIONER OF LABOUR,
TIRUNELVELI, TIRUNELVELI DISTRICT.

2 THE CHIEF ENGINEER,
TWAD BOARD, MADURAI.

3 THE JOINT CHIEF ENGINEER,
TWAD BOARD, CONTRACT AND ADMINISTRATION,
CHENNAI.

4 THE SUPERINTENDING ENGINEER,
TWAD BOARD, KOVILPATTI, THOOTHUKUDI DISTRICT.

5 THE ADMINISTRATIVE ENGINEER,
RURAL DIVISION, TWAD BOARD, NAGERCOIL,
KANYAKUMARI DISTRICT.

ORDER IN
WP(MD) No.11230 of 2019
Date :10/03/2025

SA/GSV/SAR. /12.03.2025/3P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.