

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 857 OF 2001

COMMNR., CORPORATION OF CHENNAI

Appellant (s)

VERSUS

SAKTHI BUILDERS & ANR.

Respondent(s)

(With office report)

Date: 22/08/2007 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. MATHUR
HON'BLE MR. JUSTICE MARKANDEY KATJU

For Appellant(s)

Mr. T. Harish Kumar, Adv.

For Respondent(s)

Mr. V.G. Pragasam, Adv.
Mr. S. Joseph Aristotle, Adv.
Mr. S. Prabu Ramasubramanian, Adv.

UPON hearing counsel the Court made the following
ORDER

The appeal is disposed of in terms of the signed order.

(Sukhbir Paul Kaur)
Court Master

(Vinod Kulvi)
Court Master

(Signed Order is placed on the file)
IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.857 OF 2001

COMMNR., CORPORATION OF CHENNAI

Appellant(s)

Versus

SAKTHI BUILDERS & ANR.

Respondent(s)

ORDER

We have heard counsel for the parties and also perused
the order passed by the High Court.

As per Section 8A of the Tamil Nadu Manual Workers (Regulation of Employment and Conditions Works) Act, 1982, the contractor has already deposited 0.3% towards the labour welfare fund. Since the amount in question has already been deposited and it is the contractor who has to pay under Section 8A of the Act, there is no question of giving any liberty to the respondent to file a suit and recover the money from the Corporation. As per the scheme, the contractor has to pay the amount to fund and the amount has already been deposited by the contractor. The observations made by the

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High Court that the contractor may file the civil suit does not appear to be well placed. The observations made by the High Court are deleted.

The appeal is accordingly, disposed of.

.....J.
(A.K.MATHUR)

.....J.
(MARKANDEY KATJU)

New Delhi,
August 22, 2007.