

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19/11/2015

C O R A M

THE HONOURABLE Mr.JUSTICE T.SIVAGNANAM

W.P.Nos.20298 to 20301 of 2015

The Management
Tamil Nadu State Transport Corporation
(Salem Division) Limited
rep. By its General Manager
Salem Salai
No.12 Ramakrishna Road
Salem 7. ...Petitioner in all the petitions

Vs

1. The Presiding Officer
Labour Court
Salem. ...First respondent in all
the W.Ps.
2. V. Gunasekar ...Second respondent in
W.P.No.20298 of 2015
- M. Baskaran ...Second respondent in
W.P.No.20299 of 2015
- M.A.Mohammed Yacoop ...Second respondent in
W.P.No.20300 of 2015
- K. Natarajan ...Second respondent in
W.P.No.20301 of 2015

Petitions filed under Article 226 of the Constitution of India praying for the issuance of writs of certiorari to call for the records of the order passed by the first respondent in Computation Petition in C.P.Nos.230, 229, 231 and 228 of 2013 dated 2/9/2014 and to quash the same as illegal and against the provisions of the Industrial Disputes Act, 1947.

For petitioner in all
the petitions ... Mr.P.Paramasiva Doss

For respondents in all
the petitions ... Mr.C.Uma Shankar
and Mr.M.Selvam
for R.2

With the consent of the learned counsel for the parties, these writ petitions are taken up for final disposal. Since all the cases raise an identical issues, they were heard together and disposed of by a common order.

2. Heard Mr.P.Paramasiva Doss, learned counsel for the petitioner and M/s.C.Uma Shankar and M.Selvam for the second respondent in all the writ petitions.

3. The petitioner Management/State Transport Corporation (Salem Division) Limited, has challenged the orders passed by the labour Court, Salem in Computation Petitions for computing the benefits payable to them.

4. The second respondent/Workmen, retired from service on different dates, on attaining the age of superannuation and they filed the Computation Petitions for computing the benefits payable to the petitioners viz., surrender leave salary, IRTT contribution etc., for different spells. These Computation Petitions were entertained by the labour Court and counters were filed by the petitioner Corporation before the labour Court.

5. It is note worthy to mention that in the counter affidavits filed by the Corporation before the labour Court, they have admitted the entire claim made by the petitioner. This is not in dispute and it is evident from the counter affidavits filed by the petitioner before the labour Court as could be seen from the typed set of papers. Thus, considering the fact that the petitioner Corporation has admitted the liability by filing counters, the labour Court, rightly computed the amounts payable to all the workmen, who are arrayed as second respondent in these petitions. Thus, in the absence of any perversity or illegality in the order passed by the labour Court, the question of challenging the same before this Court does not arise. Further more, the labour Court has computed the amounts payable to the workmen based on the admission made by the petitioner Corporation before the Labour Court, Salem. Hence no grounds are made out to interfere in the impugned orders.

6. Accordingly, these writ petitions are dismissed. It is seen that pursuant to the interim orders granted by this Court on 8/7/2015, the petitioner had deposited the entire award amount into the credit of respective Computation Petitions on the file of the Presiding Officer, Labour Court, Salem. In the light of the same, the second respondent in

all the writ petitions are entitled to withdraw the entire amount lying in deposit by approaching the labour Court by filing appropriate applications. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CS VII)

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Sub Assistant Registrar

mvs.

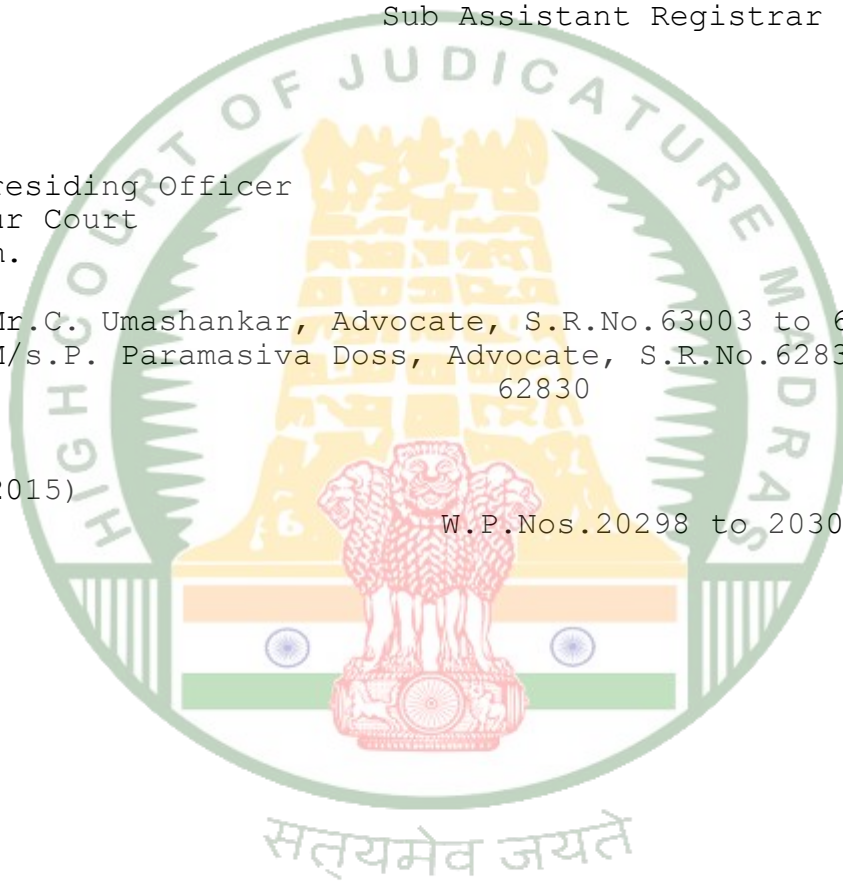
To

1. The Presiding Officer
Labour Court
Salem.

+4ccs to Mr.C. Umashankar, Advocate, S.R.No.63003 to 63006
+4ccs to M/s.P. Paramasiva Doss, Advocate, S.R.No.62835 to
62830

SAI(CO)
EU(27/11/2015)

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