



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2015

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
THE HON'BLE MR. JUSTICE M.M.SUNDRESH

O.S.A.No.22 of 2015

1.K.Muthuvellayan
2.AR.Kulandaivel
3.K.Palaniappan
4.J.Aruputham
5.K.Subramanian
6.L.M.Yadaiah
7.T.V.Subramani
8.V.Lakshmanan
9.G.Raman
10.S.P.Murugan
11.V.Gurusamy
12.R.Gunasekaran
13.J.Jesudoss
14.KS.Subramani
15.K.Gunasekaran
16.A.Murugesan
17.C.Pandiyan
18.V.Baskar
19.V.Muthukumar
20.KR.Raju
21.R.Rangan
22.K.Rengasamy
23.S.Saravanan
24.C.Murugan
25.J.Karthikeyan
26.Hussain Sarif Labe,
27.D.Venkatesham

(The plaintiffs 2 - 27 herein are
all represented by their Power Agent
Mr.K.Muthuvellayan.)

... Appellants/plaintiffs

versus



1.M/s.Chettinad South India Corporation Ltd.,
represented by its President
Rani Seethai Hall, 5th Floor,
No.603, Anna Salai,
Chennai 600 006.

2.Chettinad Cement Ltd.,
represented by its Director
Rani Seethai Hall, 5th Floor,
No.603, Anna Salai,
Chennai 600 006.

3.Chettinad Morimura Semi-Conductor
Material Pvt., Ltd.,
represented by its Managing Director
Rani Seethai Hall,
Chennai 600006.

... Respondents/Defendants

Appeals filed under Order 36 Rule 9 of Original Side Rules read with Clause 15 of the Letters Patent Act, against the order dated 03.11.2014 in Application No.5443 of 2014 in C.S.No.561 of 2014.

For Appellants : Mr.P.L.Ravikumar
for Mr.K.Sudalaikannu

For Respondents : Mr.A.L.Somayaji - Advocate General
assisted by Mr.Ranganathan
for M/s.T.S.Gopalan and Co.,

J U D G M E N T

(Judgement of the Court was delivered by The Hon'ble Chief Justice)

The appellants/plaintiffs numbering 27 filed a suit against the respondents/defendants alleging that they are employees engaged for the services by the respondents in the Chettinad house. They claim that that they were originally employed in various companies with the Chettinad Group and have been transferred inter se groups on the requirement of the companies from time to time and have rendered blameless services. Despite the contract of employment being enforced, it is alleged that the salaries have not been paid to the appellants from January, 2014. The following prayers are made in paragraph-12:



4. Learned Senior Counsel appearing for the respondents states today that he has brought cheques for the amounts due right up to February, 2015, which have been collectively handed over to the learned counsel for the appellants. Simultaneously, the communication dated 16.08.2014 had been issued by the respondents, which has been received and acknowledged by the counsel for the appellants on behalf of the appellants, also giving details of calculation and calling upon them to report at the place where the respondents seek them to work.

5. The aforesaid being the position, the learned counsel for the appellant states that all the appellants want to continue to work, they would report accordingly.

6. As far as the suit is concerned, the relief has worked itself out, the appellants have already been granted the amounts for which they have actually sued. We are not inclined to grant any interest in the situation or costs of the proceedings.

7. Needless to say that qua the relief of not denying the appellants their salaries, the appellants should be paid the amounts as per the entitlement subject to their reporting for work at the place where they have been called upon to work. There can be no other relief in the suit. The questions of law decided in the suit are left open.

8. The Original Side Appeal accordingly stands disposed of in terms of the aforesaid, leaving the parties to bear their own costs. Decree be drawn accordingly. Consequently M.P.No.1 of 2015 is closed.

Sd/-
Assistant Registrar

//True Copy//

ksr

Sub Assistant Registrar

To

The SAR, Original Side, High Court, Madras.

+3cc's to M/s.T.S.Gopalan & Co., Advocate, S.R.No.14464
+1cc to Mr.K.Sudalai Kannu, Advocate, S.R.No.14553

O.S.A.No.22 of 2015

SU(CO)
CA(08/04/2015)