

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2015

CORAM:

THE HON'BLE MR.JUSTICE M.JAICHANDREN
AND
THE HON'BLE MR.JUSTICE T. MATHIVANAN

Writ Appeal No.1534 of 2012

&

M.P.No.1 of 2012

The Management of
Christian Medical College & Hospital
Post Box No.3, Ida Scudder Road
Vellore-632 004
Rep. by Mr.Hanna Paul
Personnel Manager

...Appellant

vs.

1. The Presiding Officer
Industrial Tribunal
Chennai.

2. G. Rajesh

...Respondents

Prayer: Writ Appeal is filed under Clause 15 of the Letters Patent against the order dated 08.06.2012 made in M.P.No.2/2012 in W.P.No.1478/2012 presented under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the records connected with A.P.No.8 of 2011 in I.D.No.23 of 2010 on the file of 1st Respondent i.e. The Presiding Officer Industrial Tribunal Chennai and to quash order dt. 03.12.2011 made therein on the file of this Court.

For petitioner : Mr.Sanjay Mohan
for M/s.S.Ramasubramanian
and Associates.

For respondents : Mr.K.M. Ramesh
for R.2

J U D G M E N T

[Judgment of the Court was delivered by M.Jaichandren, J.]

Heard the learned counsels appearing on behalf of the parties concerned.

2. This Writ Appeal has been filed against the order, dated 8.6.2012, made in M.P.No.2 of 2012, in W.P.No.1478 of 2012. By an order, dated 8.6.2012, the learned Single Judge, had directed the Appellant-Management to deposit the arrears of backwages, to the credit of A.P.No.8 of 2011, in I.D.No.23 of 2010, on the file of the Industrial Tribunal, Chennai, within a period of four weeks from the date of receipt of a copy of the said order. It has been further directed that, on such deposit, the workman concerned had been permitted to withdraw 50% of the amount. Aggrieved by the said order, the Management has filed the present Writ Appeal.

3. At this stage of the hearing of the Writ Appeal, the learned counsel appearing on behalf of the workman, the second respondent herein, had submitted that the backwages, which had been directed to be deposited, by the order of this Court, dated 8.6.2012, may be deposited in an Interest Earning Deposit, in the Indian Bank, High Court Branch, Chennai. He had further submitted that the interest which may accrue, in respect of such deposit, may be permitted to be withdrawn by the workman, once in six months. He had further submitted that the interest, if any, that had accrued on the said amount, till the date of the passing of this order, may also be withdrawn by the workman, without any further orders being passed by this Court.

4. Mr. Sanjay Mohan, the learned counsel appearing on behalf of the appellant-management has no objection for this Court passing such an order, as prayed for by the learned counsel appearing on behalf of the second respondent-workman.

5. In such circumstances, we find it appropriate to direct the first respondent-Tribunal to deposit the amount, as directed by this Court, in its order, dated 8.6.2012, in M.P.No.2 of 202, in W.P.No.1478 of 2012, in an Interest Earning Deposit, in the Indian Bank, High Court Branch, Chennai, within four weeks from the date of receipt of a copy of this order. The second respondent-Workman is permitted to withdraw the interest which may accrue thereon, once in six month. If any interest had accrued to the amount deposited by the appellant, till date, the said amount could also be withdrawn by the second respondent-workman.

6. The writ appeal stands closed, with the above directions. Consequently, the connected MP is closed. No costs.

Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

Tr/

To

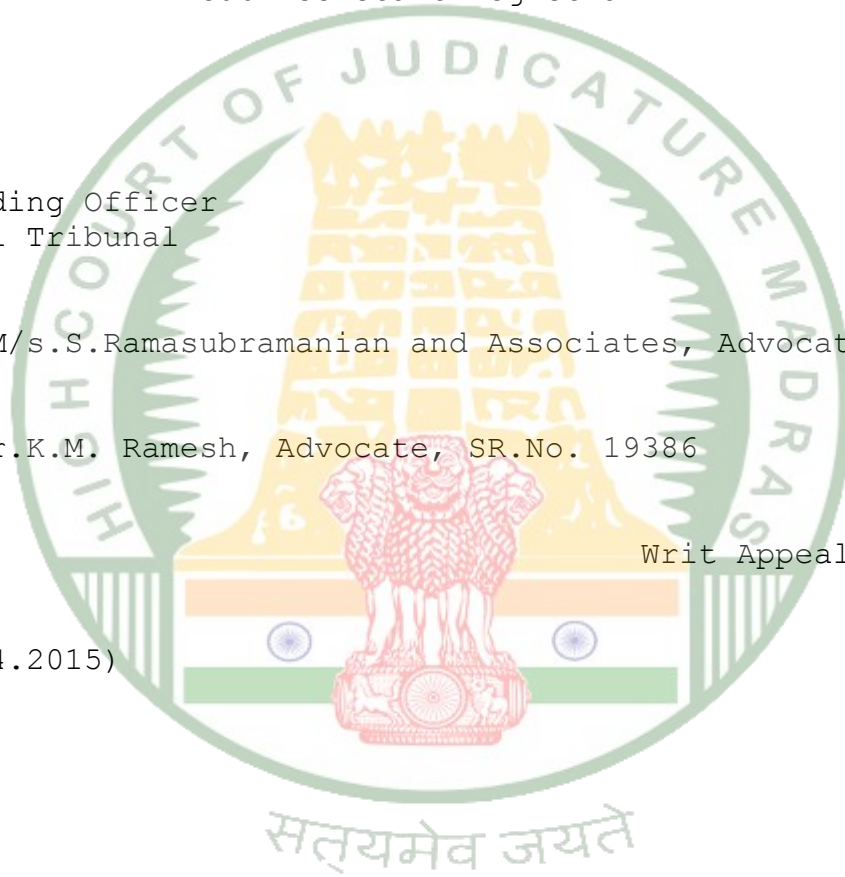
The Presiding Officer
Industrial Tribunal
Chennai.

2 CCs to M/s.S.Ramasubramanian and Associates, Advocate, SR.No.19185
& 18974

1 CC to Mr.K.M. Ramesh, Advocate, SR.No. 19386

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TEJ (CO)
PSI (29.04.2015)



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