

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2015

CORAM :

THE HONOURABLE MR. JUSTICE T. RAJA

W.P.NOs. 23653 to 23655 OF 2006

R. Ravi ... Petitioner in WP No.23653/06
R. Vijayakumar ... Petitioner in WP No.23654/06
S.Varatharaj ... Petitioner in WP No.23655/06

Vs.

1. The Presiding Officer
Labour Court
Coimbatore.
2. The Management of
Coimbatore Pioneer Mills Ltd.,
Unit II, Jothipuram Post
Periyanaickenpalayam
Coimbatore- 641 047 ... Respondents in all WPs

PRAYER in all WPs: These Writ Petitions have been filed under section 226 of the Constitution of India to issue an order of Writ of Certiorarified Mandamus, calling for the records from the file of the 1st respondent in I.D. Nos. 393, 345 & 373 of 1999 dated 06.10.2003 and quash the same and further direct the 2nd respondent to reinstate the petitioner with continuity of service and backwages.

For Petitioner : Mr. Su. Srinivasan
in all Wps
For Respondent R2 : Mr. D. Balaraman
R1 : Court

C O M M O N O R D E R

These writ petitions have been directed against the common award passed in I.D. Nos. 393, 345 & 373 of 1999 dated 06.10.2003 by the learned Labour Court, Coimbatore.

2. Learned counsel appearing for both sides jointly made a statement before this Court that W.P. Nos.13038 to 13054 of 2004 and

25700/2007 were filed challenging the same common award passed in I.D. Nos. 349 of 1999 etc., by the Labour Court, Coimbatore and this Court has disposed of the same by an order dated 13.02.2012, setting aside the common impugned award, with a further direction to the respondent Management to pay each one of the workers covered in those writ petitions, six months wages as compensation in view of their names involved in the dispute. However, Mr. D. Balaraman, learned counsel appearing for the Mill would submit that the Units No.1 and 2 have already been closed.

3. This Court while passing the order dated 13.02.2012 in the above mentioned batch of writ petitions, although had an occasion to consider the claim of the respondents that both units were closed, it was held that each of the workers are entitled to six months wages, considering that they have worked as apprentices, for three years approximately. When no proof has been placed before this Court about the filing of an appeal against the common order, taking into account that there has been a direction to the Management to pay only six months wages as compensation, this Court is not inclined to take a different view.

4. In view of the above, these writ petitions are also disposed of on the same lines, as the other writ petitions have been disposed of, setting aside the common impugned award, with a further direction to the respondent Management to pay each one of the workers covered in these writ petitions, six months wages as compensation in view of their names involved in the dispute. No order as to costs.

Sd/-
Asst. Registrar

/true copy/

Sub Asst. Registrar.

AVR

To

The Presiding Officer
Labour Court, Coimbatore.

JP (CO)
CA(03/03/2015)

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23655 OF 2006