

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 09.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

Cont.P.No.874 of 2015

C.Nagarajan ... Petitioner

Vs.

Mr.R.Rangarajan,
Managing Director,
Tamilnadu State Transport Corporation
(Kumbakonam) Ltd.,
Rep. by its Managing Director Mr.R.Rangarajan,
Kumbakonam Division 1, Kumbakonam. ... Respondent

Prayer: This Contempt Petition is filed under Section 11 of the Contempt of Court Act, 70/71 to punish the respondent for having committed contempt of Court for disobeying the common order dated 08.04.2014 and made in W.P.No.42519 of 2006

For Petitioner : Mr.R.Venkatesalu

For Respondent : Mr.Paramasiva Dass

O R D E R

This contempt petition has been filed alleging disobedience of the order and the directions issued in W.P.No.42519 of 2006 dated 08.04.2014.

2. The said writ petition was filed by the respondent management challenging the order passed by the Joint Commissioner of Labour (Conciliation) in A.P.No.481 of 2003. The said writ petition was dismissed by order dated 08.04.2014, thereby confirming the order passed by the Joint Commissioner of Labour (Conciliation). The consequence is

that the petitioner/workman is deemed to be in service and entitled to all wages.

3. It is stated that during the pendency of the writ petition, wages under Section 17-B of the Industrial Disputes Act, has been paid. However, since Approval Petition has been rejected and confirmed by this Court in W.P.No.42519 of 2006, it is deemed that the petitioner/Workman is in service. Therefore, he is entitled to full wages during the period, when he was kept out of employment, less the amount, which he was paid as wages under Section 17-B of the Act. In this regard, liberty is granted to the petitioner/workman to file appropriate application before the competent Court of law.

4. With the said liberty, the Contempt Petition is closed. No costs.

Ars

SD/-

DEPUTY REGISTRAR(OS)

//Certified to be true copy//

Dated at Madras this the day of 2016.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

CO/03/03/2016

One CC to M/s.Usha Ramman, Advocate, SR.1608

To

Mr.R.Rangarajan,
Managing Director,
Tamilnadu State Transport Corporation

<https://hcservices.ecourts.gov.in/hcservices/>

(Kumbakonam) Ltd.,

Rep. by its Managing Director Mr.R.Rangarajan,
Kumbakonam Division 1, Kumbakonam.