

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 1/2/2016

C O R A M

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P.No.5240 of 2013

National Tannery Employees' Union
rep. By its President
Mr.S.A.Munavar
No.31 Venkatram Street
Walajah Taluk
Vellore District. Petitioner

Vs

1. The Management
Misons Leathers Limited
rep. By its Managing Director
Leather Finishing Unit
Ismail Nagar
Ammoor
Walajah Taluk
Vellore District.
2. The Presiding Officer
Labour Court
Vellore. Respondents

Prayer :Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Certiorarified mandamus to call for the records of the Award in I.D.No.87 of 2007 dated 10/12/2009 on the file of the second respondent and quash the same and consequently direct the first respondent to pay back wages from 28/3/2003 till date to the workers and appropriate compensation.

For Petitioner Mr.T.Sivagnanasambandan

For respondents No appearance for R.1
R.2 - Court

O R D E R

The petitioner/Employees Union, has filed this writ petition to execute the Award dated 10/12/2009 in I.D.No.87 of 2007.

2. Though the respondent Management has been served and their name is printed in the cause list, none appears for the respondent Management.

3. In terms of Section 11 (3) of the Industrial Disputes Act, 1947, the labour Court or Tribunal shall have the powers as are vested in the Civil Court, to execute its Award or any settlement.

4. In the light of the said provision, the petitioner has an efficacious and effective remedy, before the labour Court. Therefore, the petitioner should be given liberty to execute the Award.

5. Accordingly, liberty is given to the petitioner, to file an application, before the labour Court, for execution of the Award and if the same is filed, the labour Court shall consider the same, on merits and in accordance with law and dispose of the same, at the earliest, considering the fact that the dispute is of the year 2007 and the Award was passed in the year 2009.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

mvs.

Sd/-
Assistant Registrar (CS III)
/TRUE COPY/
Sub-Assistant Registrar

To

1. The Presiding Officer
Labour Court
Vellore.

2. The Section Officer,
VR Section,
High Court, Madras.

[01/06/2016]

+1CC to MR.T.SIVAGNANASAMBANDAN Advocate SR.NO.6469

W.P.No.5240 of 2013

PPA[CO]
MK : 22/02/2016