

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2016

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE M. VENUGOPAL

W.A. No.277 of 2016
and
C.M.P. No.4538 of 2016

The Management
Metropolitan Transport Corporation (Chennai) Ltd.
Pallavan Illam
Anna Salai
Chennai 600 002

... Appellant

Vs.

1. R. Nedumaran
2. The Presiding Officer
Principal Labour Court
City Civil Court Annexe Buildings
High Court Compound
Chennai 600 104

... Respondents

Writ Appeal preferred under Clause 15 of the Letters Patent challenging the order dated 23.11.2015 passed in M.P. No.1 of 2015 in W.P. No.36300 of 2015.

Writ Petition No.36300 of 2015 under Article 226 of the Constitution of India, praying that in these circumstances stated therein and in the respective affidavits filed therewith, the High Court will be pleased to

i) Issue a Writ of Certiorari or any other appropriate Writ, Order or Direction as like nature calling for the records pertaining to the Order passed in C.P.No.334 of 2014 dated 22.07.2015 on the file of the Principal Labour Court, Salme and quash the same.

ii) To stay the operation of the Order passed in C.P.No.334 of 2014 dated 22.07.2015 on the file of the 2nd Respondent (In M.P.No.1 of 2015) pending (In W.P.No.36300 of 2015) respectively.

For appellant : Mr. P. Paramasiva Doss

ORDER
(delivered by SATISH K. AGNIHOTRI, J.)

The instant intra-Court appeal is preferred against the order dated 23 November 2015 passed in M.P. No.1 of 2015 in W.P. No.36300 of 2015, whereunder, the learned Single Judge granted interim stay on condition that the appellant Management shall deposit a sum of Rs.8 lakhs to the credit of C.P. No.334 of 2014 on the file of the Principal Labour Court, Chennai, within a period of eights weeks, with permission to the first respondent workman to withdraw a sum of Rs.5 lakhs.

2. The learned counsel for the appellant Management submits that the appellant Management is ready and willing to deposit a sum of Rs.8 lakhs as directed by the learned Single Judge, however, qua the permission given to the first respondent workman to withdraw a sum of Rs.5 lakhs, the appellant Management seeks modification.

3. Having regard to the fact of pendency of the writ petition and also partial compliance of the order sought to be impugned in this intra-Court appeal, we are not inclined to make any observation. However, liberty is reserved to the appellant Management to make an appropriate application before the learned Single Judge in the pending writ petition, seeking modification, if so advised. If such an application is made by the appellant Management, the Registry is directed to list the same before the learned Single Judge.

The intra-Court appeal stands disposed of with the above observation and direction. Costs made easy. Connected C.M.P. is closed.

Sd/-

Assistant Registrar(CS III)

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Sub Assistant Registrar

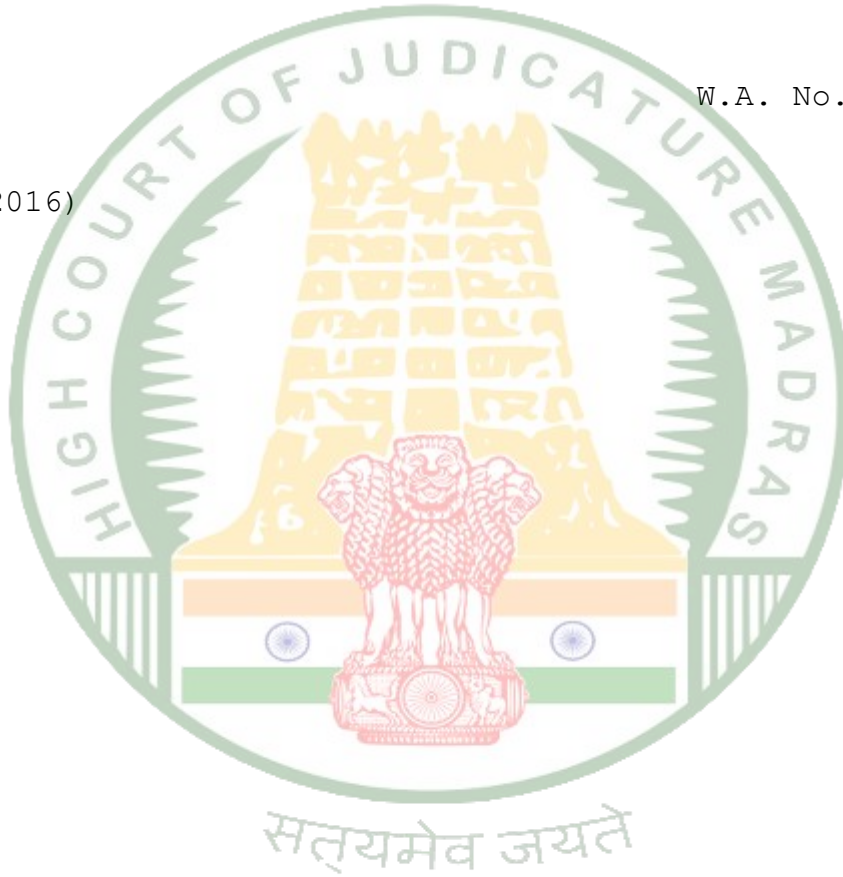
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To

- 1.The Management
Metropolitan Transport Corporation (Chennai) Ltd.
Pallavan Illam
Anna Salai, Chennai 600 002
- 2.The Section Officer(Posting),
Writ Section,
High Court, Madras.

W.A. No.277 of 2016

LRS (CO)
CA(23/03/2016)



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