

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P. No.40185 of 2016

H. Frederick Lawrence

...

Petitioner

Vs

The Managing Director,
Hindustan Photo Films
Indu Nagar,
Ootacamund,
The Nilgiris - 643 005.

...

Respondent

PRAYER : Writ petition filed under Article 226 of the Constitution of India for issue of writ of mandamus directing the respondent to consider the petitioner's representation dated 24.06.2016 and dispose of the same within a stipulated time.

For Petitioner : Mr.Rajkumar Paul

For Respondent : M/s.Aiyar & Dolia

O R D E R

The petitioner is an ex-employee of the respondent. For various reasons, the respondent has become sick unit and it has been closed down. The petitioner moved the Labour Court praying for monetary benefits which he is entitled to. The Labour Court, in C.P.No.106 of 2015 directed the respondents to pay wage arrears and settle the monetary benefits to the petitioner. Though the petitioner has been relieved from the services and the Labour Court ordered payment of wage arrears, as early as on 08.05.2015, no amount was paid to the petitioner which compelled him to give a representation on 24.06.2016. So far, the representation has not been considered. Hence, the petitioner has come before this court by way of this writ petition.

2. Heard Mr.Rajkumar Paul, learned counsel appearing for the petitioner and M/s.Aiyar & Dolia, learned counsel appearing for the respondent.

3. The company becoming sick and the Labour Court passing award in favour of the petitioner are all admitted and borne out by records. Since the petitioner has given representation for payment of monetary benefits as per the Labour Court award, the respondent is directed to dispose of the petitioner's representation, on merits and in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of this order. It is made clear that this direction is only with regard to the payment of monetary benefits.

4. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

rgr

To

The Managing Director,
Hindustan Photo Films
Indu Nagar,
Ootacamund,
The Nilgiris - 643 005.

1 cc to Mr. Rajkumar Paul, Advocate, Sr. 66031

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