

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Friday, the Ninth day of June Two Thousand Seventeen

PRESENT

THE HON`BLE MR JUSTICE M.M.SUNDRESH

WMP No.4992, 7916 and 7917 of 2017

IN WP.4776/2017

THE MANAGEMENT, M/S.ASIAN [PETITIONER IN WMP No.4992/17 &
PAINTS (P) LTD, 2ND RESPONDENT IN WMP.7916 & 7917/17]
REP BY SENIOR MANAGER
B.JAGANNATH, P.NO.E-6 TO F13,
SIPCOT INDUSTRIAL ESTATE,
ARNARI VILL. MAMBAKKAM,
KANCHEEPURAM DT-602105

Vs

1 THE PRESIDING OFFICER, [1ST RESPONDENTS IN ALL THE PETITIONS]
II ADDITIONAL LABOUR COURT,
CHENNAI-600104

2 T.BALAJI, [2ND RESPONDENT IN WMP.4992/17 & PETITIONER
IN WMP.7916 & 7917/17]

Petition praying that in the circumstances stated therein and
in the affidavit filed therewith the High Court will be pleased

(i) to stay the operation of the order of the 1st Respondent,
dated 18.01.2017 in I.D. No.231/ 2014 WMP No.4992 of 2017

(ii) To Vacate the Interim Stay granted on 24.02.2017 in WMP
No.4992 of 2017 in WMP No.7916 of 2017.

(iii) To Direct the 2nd Respondent / Writ Petitioner
Management to pay the Petitioner herein his last drawn monthly of
Rs.5,500/- every month commencing from January 2017 (WMP No.7917 of
2017 disposal off the above WP.4776/2017

Order : This petition coming on for orders upon perusing the
petition and the affidavit filed in support thereof and upon
hearing the arguments of M/S. K. RANGESH, FOR M/S.JAYARAMAN AND
ASSO., Advocate for the PETITIONER IN WMP No.4992/17 & 2ND
RESPONDENT IN WMP.7916 & 7917/17 and of M/S.K.BHARATHI, Advocate
2ND RESPONDENT IN WMP.4992/17 & PETITIONER IN WMP.7916 & 7917/17
the court made the following order:-

Against the award of the Labour Court, by which reinstatement has been ordered with backwages, the present writ petition has been filed.

2.The writ petitioner has complied with the deposit of a sum of Rs.2 lakhs as ordered by this Court, which is part of the backwages. What remains to be paid is the wages payable under Section 17B of the Industrial Disputes Act. Apart from that, the second respondent/workman is entitled to have some amount, which has been deposited pursuant to the orders of this Court.

3.Considering the above, out of the amount deposited, the second respondent/workman is permitted to withdraw a sum of Rs.1,00,000/- (Rupees One Lakh only) without prejudice to the contentions of the parties in the writ petition. The backwages payable being part of 17B wages will have to be paid by quantifying the same from the date of filing the writ petition till the month of May, 2017, within a period of eight weeks from the date of receipt of a copy of this order. Thereafter, the last drawn wages will have to be paid on or before 15th of every month starting from June, 2017. W.M.P.No.7917 of 2017 is disposed of accordingly.

4.In such view of the matter, interim stay granted earlier is made absolute and W.M.P.No.4992 of 2017 stands allowed. Consequently, W.M.P.No.7916 of 2017 stands dismissed.

Post the writ petition for final hearing on 24.11.2017.

-sd/-
09/06/2017
/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO
I THE PRESIDING OFFICER,
II ADDITIONAL LABOUR COURT, CHENNAI-600104

C.C. to M/S.JAYARAMAN AND ASSO. Advocate Sr.No.7398
C.C. to M/S.K. BHARATHI Advocate Sr.No.7420

Order

in
WMP No.4992, 7916 and 7917 of 2017
IN WP.4776/2017

Date :09/06/2017

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
TA 14/06/2017