

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.6.2017

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

C.R.P.No.2490 of 2014

K.Karunanidhi
General Manager,
Tamilnadu State Transport Corporation
(Villupuram) Ltd.
Cuddalore Division Office,
Cuddalore. ... Petitioner/Judgment debtor

Vs.

M.Krishnaraj ... Respondent/Decree holder

This Civil revision is filed under Article 227 of the Constitution of India against the order of arrest passed in E.P.No.17 of 2014, dated 2.7.2014 by the learned Labour Court, Cuddalore.

For Petitioners : Mr. P.Paramasiva Doss

For Respondent : Mr. R.Muralidharan

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ORDER

Learned counsel for the respondent would submit that an award has been passed by the Labour Court, Cuddalore in I.D.No.25 of 2012, dated 8.10.2013. Pursuant to such award, he filed E.P.No.17

of 2014 before the Labour Court, Cuddalore to detain the petitioner for non compliance of the award. An order of arrest has been passed in the aforesaid E.P. Challenging the said order, the petitioner has preferred the present Civil Revision petition.

2 The learned counsel for the petitioner would submit that pursuant to the interim stay granted in the revision petition against the execution of the impugned order, the petitioner has filed W.P.No.17069 of 2014 and the same is pending before this Court.

3 This Court on 9.7.2014 in M.P.No.1 of 2014 in the present Civil Revision petition, granted an interim stay on condition that the petitioner transport Corporation shall deposit Rs.5,00,000/- to the credit of E.P.No.17 of 2014. According to the learned counsel for the petitioner, conditional order has been complied with. The learned counsel for the respondent also confirmed the said fact. On 5.2.2015, this Court permitted the petitioner to withdraw 50% of the amount deposited in E.P.No.17 of 2014 and the Execution Court was directed to invest the remaining amount in any of the nationalised bank for a period of 5 years.

4 Pursuant to the interim direction granted in M.P.No.2 of 2014 in the present Civil Revision petition, the petitioner has filed

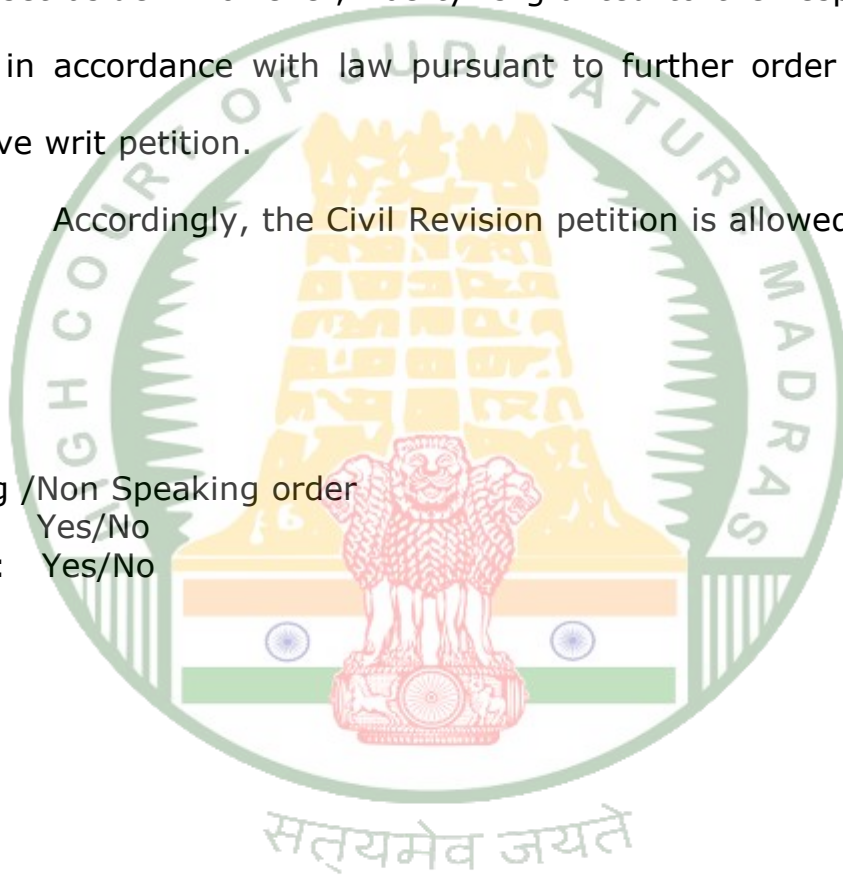
the writ petition in W.P.No.17069 of 2014 wherein interim stay has been granted by this Court and the writ petition is still pending.

5 In view of the above, the order passed in E.P.No.17 of 2014 is set aside. However, liberty is granted to the respondent to proceed in accordance with law pursuant to further order passed in the above writ petition.

Accordingly, the Civil Revision petition is allowed.

29.6.2017

Speaking /Non Speaking order
Index: Yes/No
Internet: Yes/No
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D.KRISHNAKUMAR,J.

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