

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Friday, the Sixteenth day of June Two Thousand Seventeen

PRESENT

THE HON`BLE MR JUSTICE M.M.SUNDRESH

WMP NO.11251 & 11252 OF 2017

IN WP.6747 OF 2015

M.UDAYAN

[PETITIONER IN BOTH THE PETITIONS]

Vs

1 THE JOINT MANAGING DIRECTOR [RESPONDENTS IN BOTH THE PETITIONS]
TAMILNADU COOPERATIVE MILK PRODUCERS
FEDERATION LIMITED, AMBATTUR, CHENNAI 98

2 THE PRESIDING OFFICER
I ADDITIONAL LABOUR COURT,
CITY CIVIL COURT BUILDINGS,
CHENNAI 104.

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

To grant permission to the Petitioner to withdraw the entire 50% back wages of Rs.5,32,417/- deposited by the First Respondent / Petitioner herein before the 2nd Respondent herein in WMP.11251/17 in WP.No.6747/15 and;

(ii) *To issue suitable direction, directing the First Respondent/ Petitioner to confer 17-B wages to the Petitioner, in WMP.No.11252/17 pending disposal of the above Writ Petition 6767/15 respectively.*

Order : These petitions coming on for orders upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of M/S.R.S.ANANDAN, Advocate for the petitioner in both the petitions and of Mr.T.K.ASHOK KUMAR, Advocate for the 1st respondent in both the petitions the court made the following order:-

Against the award of the Labour Court, the present writ petition has been filed. The award is for reinstatement with 50% backwages.

2.The conditional order has been complied with by the writ petitioner by depositing a sum of Rs.5,32,407/- being 50% of the backwages ordered.

3.In such view of the matter, the respondent workman, who is the petitioner in W.M.P.Nos.11251 and 11252 of 2017 is permitted to withdraw the aforesaid amount pending on the file of the first respondent in the writ petition. In so far as the wages under Section 17B of the Industrial Disputes Act is concerned, the writ petitioner is liable to pay 50% of the last drawn wages towards the arrears upto June 2017 in favour of the respondent workman within a period of eight weeks from the date of receipt of a copy of this order. Thereafter, from the month of July 2017 onwards, the last drawn wages will have to be paid by the writ petitioner till the disposal of the writ petition payable on or before 15th of every English Calendar month starting from July 2017. On such compliance, interim stay already granted is made absolute. Accordingly, the direction petitions in W.M.P.Nos.11251 and 11252 of 2017 are ordered.

4.Post the writ petition for final hearing on 10.10.2017.

-sd/-
16/06/2017
/ TRUE COPY /

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

TO

1 THE JOINT MANAGING DIRECTOR,
TAMILNADU COOPERATIVE MILK PRODUCERS
FEDERATION LIMITED, AMBATTUR, CHENNAI 98

2 THE PRESIDING OFFICER
I ADDITIONAL LABOUR COURT,
CITY CIVIL COURT,
BUILDINGS, CHENNAI 104.

C.C. to M/S.R.S.ANANDAN Advocate SR.No.7815

C.C. To Mr.T.K.ASHOK KUMAR, Advocate SR.No.7833

The Government Advocate, High Court, Madras - 104.

Order

in
WMP.11251 & 11252/2017

in
WP.6747/2015

Date :16/06/2017

From 26.2.2001 the Registry is issuing certified
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