

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.11484 of 2017

IN WP.29136/2016

THE MANAGEMENT [ PETITIONER ]  
POONAMALLI PRIMARY AGRICULTURAL CO-OPERATIVE  
BANK LIMITED, REP BY PRESIDENT, K.S.  
RAVICHANDRAN, CHENNAI-600 056

Vs

1 J.KUMARAVEL [ RESPONDENTS ]  
38, PILLAIYAR KOVIL STREET, BHARANI PUTHUR  
(PO), MANGADU-602 101

2 THE DEPUTY COMMISSIONER  
OF LABOUR, (MINIMUM WAGE), LABOUR DEPARTMENT,  
CHENNAI-6

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Modify the Order made in WMP No.25175 / 2016 in WP No.29136 of 2015 dated 22.03.2017 (in WMP.11484/2017)

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.T.P.SAVITHA, Advocate for the petitioner and of MR.R.A.S.SENTHILVEL, Additional Government Pleader on behalf of the 2nd Respondent and of 1<sup>st</sup> Respondent not appearing either in person or by an Advocate the court made the following order:-

Seeking modification of the order passed by this Court dated 22.03.2017 made in W.M.P.No.25175 of 2016, this petition has been filed on the ground that even as per the records, the first respondent is entitled to only Rs.1,81,952/-, after making due deductions.

2.Learned counsel appearing for the first respondent would submit that this is factually correct since the backwages have not been taken into consideration. The salary itself would come to Rs.1,80,396/- from 01.10.2001 to 31.03.2003 and therefore, what the first respondent is entitled to is a sum of Rs.5,60,988/-.

3.This Court does not want to go into the said controversy as the order being interim in nature. As the writ petitioner in this miscellaneous petition is facing difficulty in making payment, the order passed already is modified to the extent that the petitioner will have to pay a sum of Rs.2,00,000/- (Rupees Two Lakhs only) within a period of eight weeks from the date of receipt of a copy of this order. This is for the reason that even according to the petitioner, after due deduction, a sum of Rs.1,81,952/- is payable. This payment is without prejudice to the contentions of the respective parties. This petition is ordered accordingly.

-sd/-  
16/06/2017

/ TRUE COPY /

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

TO

1 THE DEPUTY COMMISSIONER  
OF LABOUR, (MINIMUM WAGE),  
LABOUR DEPARTMENT, CHENNAI-6

C.C. to M/S.T.P.SAVITHA Advocate on payment of necessary charges

The Additional Government Pleader , High Court, Madras - 104.

Order

in  
WMP.11484/2017

in  
WP.29136/2016

Date :16/06/2017

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