

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.05.2017

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
And
THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.A.No.529 of 2017
and
CMP.No.7546 of 2017

1.The Managing Director,
ARK Security Service,
Hyderabad.

2.The Manager,
ARK Security Service,
Kumbakonam

... Appellants

Vs.

1.A.Pichan
2.J.Narayanasamy
3.G.Murugadass
4.K.V.Subramanian
5.S.Lakshmanan
6.V.Pakirisamy
7.E.Ezekiel
8.R.Sivanandam
9.P.Balakrishnan
10.S.Balu
11.P.Loganathan
12.T.Jayakumar
13.S.Aruldass
14.M.Kaliyamoorthy
15.T.Ramamoorthy
16.A.Dhakshnamoorthy
17.R.Ramanathan
18.G.Paneerselvam
19.R.Sundarapandian
20.The Presiding Officer,
Industrial Tribunal,
Puducherry.

... Respondents

Prayer:

Writ Appeal filed under Clause 15 of Letters Patent praying to set aside the order dated 16.03.2017 made in W.M.P.No.2669 of 2017 in W.P.No.2722 of 2017 .

Prayer in WP.MP.2669/2017 in WP.2722/17:

To stay of all further proceedings pursuant to the order dated 19.2.2016 made in I.D.(T).No.13 of 2016 by the Industrial Tribunal at Puducherry.

WP.No.2722/17:

Petition filed under Article 226 of the Constitution of India, praying that to issue a Writ of Certiorari calling for the records pertaining to the Award dt 19.2.2016 made in I.D. (T) No.13/2013 on the file of the Industrial Tribunal at Pondicherry with direction to give opportunity to the petitioners herein to present their case and lead evidence to decide afresh pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Appellant : M/s.Sivasangarane

For R1 to R7 : Mr.NGR.Prasad for
M/s.Row and Reddy

J U D G M E N T

(Judgment of the Court was delivered by V.PARTHIBAN,J.)

This Writ Appeal is filed against the order passed by the learned Single Judge in W.M.P.No.2669 of 2017 in W.P.No.2722 of 2017 dated 16.03.2017.

2. The learned Single Judge of this Court, after taking note of the facts and circumstances of the case, has ordered in paragraphs 4 and 5 of the order in W.M.P.No.2669 of 2017 in W.P.No.2722 of 2017 dated 16.03.2017 which is extracted as hereunder:

4. Considering the above, this Court is of the view that interest of justice would be met if the petitioner is directed to pay a sum of Rs.50,000/- to the respondents 1 to 5 and Rs.40,000/- each to the respondents 6 to 19 without prejudice to the contentions in the writ petition.

5. Accordingly, there shall be an order of interim stay on condition that the petitioner shall pay a sum of Rs.50,000/- to the respondents 1 to 5 and Rs.40,000/- each to the respondents 6 to 19 within a period of eight weeks from the date of receipt of a copy of this order. On such compliance, interim stay would become absolute. It is needless to state that if the compliance is not made, this petition would stand dismissed automatically without any further reference to this Court.

3. Since the order passed by the learned Single Judge is only by way of interim measure keeping in mind the interest of the workers concerned, we do not think it appropriate to pass orders at this stage and further the main Writ petition was also directed to be posted for hearing on 05.09.2017.

4. In such circumstances, we do not find any infirmity or illegality in the order passed by the learned single Judge. Therefore, the writ appeal fails and the same is dismissed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

Sd/-
Asst.Registrar (V.O)

/true copy/

Sub Asst. Registrar

kkd/gv

To
The Presiding Officer,
Industrial Tribunal, Puducherry.

+1cc to M/s.Row & Reddy, Advocate sr.36706

W.A.No.529 of 2017
& CMP.NO.7546/2017

sv(co)
ss(12/5/2017)

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