



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.11.2017

CORAM:

WEB COPY

**THE HONOURABLE MS.INDIRA BANERJEE, CHIEF JUSTICE
AND
THE HONOURABLE MRS.JUSTICE J.NISHA BANU**

W.A. [MD].No.795 of 2017

C.Kumar : Appellant

Vs.

1. The Management,
N.N.559, Kaluvangulam Primary
Agriculture Co-operative Bank,
Kaluvangulam, Sivagangai District.

2. The Presiding Officer,
Labour Court,
District Court Campus,
Melur Road, Madurai-20.

: Respondents

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent against the order dated 27.08.2014 made in W.P.(MD).No.7795 of 2012, on the file of this Court.

Prayer in WP(MD). 7795/ 2012 :

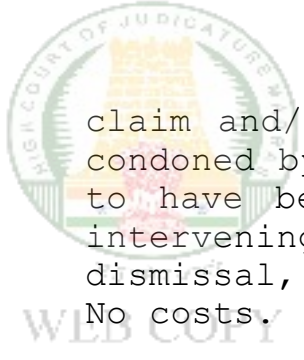
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF CERTIORARIIFIED MANDAMUS, call for the records of the 1st Resopndent in I.D.16/2009 and quash the portion of the award dated 29-02-2012 as far as it has denied back wages and continuity of service and consequently direct the 2nd Respondent to provide the back wages, continuity of service and all other attendant benefits.

For Appellant : Mr.T.Ravichandran
For Respondent No.1 : Mr.AL.Vijay Devaraj

JUDGMENT

[Judgment of the Court was delivered by **The Hon'ble Chief Justice**]

By consent of the parties, this appeal is disposed of, by modifying the order under appeal to the extent that the appellant has been denied continuity of service. The appellant agrees not to



claim and/or insist on back wages. The break in service shall be condoned by the first respondent and the appellant shall be deemed to have been in continuous service, but, without wages for the intervening period, when he was out of service by reason of his dismissal, which has, since, been set aside by the Labour Court. No costs.

Sd/-
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

The Presiding Officer,
Labour Court,
District Court Campus,
Melur Road, Madurai-20.

+ 1 cc TO Mr.T.Ravichandran , Advocate in SR No. 89765
+ 2 ccs TO Mr.AL.Vijay devraj , Advocate in SR No. 90177

rsb/nb
AE/KK/SAR1/18.12.2017/2P/5C

**JUDGMENT MADE IN
W.A. [MD] .No.795 of 2017
28.11.2017**