



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 23.06.2017
CORAM:

WEB COPY

THE HONOURABLE **MS.INDIRA BANERJEE, CHIEF JUSTICE**
AND
THE HONOURABLE MR.JUSTICE **T.S.SIVAGNANAM**

W.A.[MD].Nos.801 and 802 of 2017
and
C.M.P(MD).No.5625 and 5626 of 2017

The Management,
A-336, The Madurai Sourashtra Co-operative Bank Ltd.,
No.155, South Masi Street,
Madurai 1, Rep by its President. : Appellant in both
Appeals

Vs.

1.The Presiding Officer,
Labour Court, Madurai.

2.K.R.Santhi : Respondents in both Appeals

COMMON PRAYER: Writ Appeals are filed under Clause 15 of the Letters Patent against the order dated 10.03.2016 made in W.M.P.(MD).Nos.4373 and 4372 of 2016 in W.P.(MD).Nos.4881 and 4880 of 2016, on the file of this Court.

Prayer in WMP(MD). 4373/ 2016 :

To grant an Ad Interim Stay of the operation of the further proceedings of the impugned order passed by the 1st respondent in his order in C.P.No. 19 of 2014 dated 30.11.2015 .

Prayer in WP(MD). 4881/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari to call for the records from the 1st respondent in his order in C.P.No. 19 of 2014 dated 30.11.2015 and quash the same.

Prayer in WMP(MD). 4372/ 2016 :

To grant an A Interim Stay of the operation of the 1st respondent in his order in C.P.No.7 of 2014 dated 30.11.2015 pending disposal of the Writ Petition.

Prayer in WP(MD). 4880/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari to call for the records from the 1st respondent in his order in C.P.No.7 of 2014 dated 30.11.2015 and quash the same.



For Appellant : Mr.P.Ganapathi Subramanian
For Respondent No.2 : Mr.T.Ravichandran

COMMON JUDGMENT

[Judgment of the Court was delivered by **T.S.SIVAGNANAM, J.**]

Heard Mr.P.Ganapathi Subramanian, learned counsel appearing for the appellant and Mr.T.Ravichandran, learned counsel appearing for the second respondent.

2. These Writ Appeals are directed against the interim orders dated 10.03.2016 made in W.M.P.(MD).Nos.4373 and 4372 of 2016 in W.P.(MD).Nos.4881 and 4880 of 2016, filed by the appellant/management. By the impugned orders, the learned Single Bench granted orders of interim stay, on condition that the appellant deposits 50% of the Award amount within the stipulated time, failing which the interim orders would stand automatically vacated. The appellant has not complied with the conditions imposed and therefore, as of now, interim orders stand vacated.

3. The learned counsel for the appellant would submit that the appellant is in severe financial crisis and the second respondent is not entitled for the money, as computed by the Labour Court in the impugned orders in the Writ Petitions.

4. We find that the Miscellaneous Petitions are pending disposal before the learned Single Bench as well as the Writ Petitions and therefore, the intra-Court appeals are not maintainable, as the learned Single Bench has not disposed of finally the Miscellaneous Petitions or the Writ Petitions.

5. Therefore, while closing these Writ Appeals, we grant liberty to the appellant to move the learned Single Bench for appropriate orders. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

The Presiding Officer,
Labour Court, Madurai.

COMMON JUDGMENT MADE IN
W.A.[MD].Nos.801 and 802 of 2017
23.06.2017