

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Friday, the Fifth day of October Two Thousand Eighteen

PRESENT

THE HON`BLE DR. JUSTICE S.VIMALA

WMP NO.7168 OF 2018 AND 21752 OF 2017

IN WP.20880 OF 2017

P.RAJU [PETITIONER IN WMP.7168/18 AND 2ND
RESPONDENT IN WMP.21752/17 IN WP.20880/17]

Vs

1 THE CHIEF MANAGER [1 & 2 RESPONDENTS IN WMP.7168/18 AND
INDIAN OVERSEAS BANK, PETITIONER IN WMP.21752/17
CD DEPARTMENT, IN WP.20880/17]
P.B.NO.3765, 763,
ANNA SALAI, CHENNAI-02.

2 THE PRESIDING OFFICER [1ST RESPONDENT IN WP.21752/17
THE CENTRAL GOVERNMENT INDUSTRIAL IN WP.20880/17]
TRIBUNAL AND CUM LABOUR COURT,
SHASTRI BHAVAN,
HADDOWS ROAD, CHENNAI-06.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to direct the first respondent/ writ petitioner to pay the last drawn wages of the petitioner/2nd respondent Under Section 17-B of the Industrial Disputes Act, 1947 with effect from the date of filing of W.P. No.20880 of 2017 (in WMP.No.7168/17) pending disposal of the above writ petition 20880/17 and;

(ii) to grant an interim stay of the Award dated 21.04.2017 in ID. No.57 of 2015 of the 1st respondent (in WMP.No.21752/17) pending disposal of the writ petition 20880/17 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.T.RAMKUMAR Advocate for the PETITIONER IN WMP.7168/18 AND 2ND RESPONDENT IN WMP.21752/17 IN WP.20880/17 and M/S.K.SRINIVASA MURTHY Advocate for 1 & 2 RESPONDENTS IN WMP.7168/18 AND PETITIONER IN WMP.21752/17 IN WP.20880/17 and M/S.NG.R.PRASAD Advocate for the Petitioner in WMP.NO.21752/17 in WP.BNo.20880/17 the court made the following

order:-

In respect of the dispute raised by the workman, the Labour Court has passed an award, dated 21.04.2017, in I.D.No.57 of 2015, directing reinstatement with entire back wages with all other attendant benefits. This award is in challenge in the writ petition.

2. Pending disposal of the above writ petition, the workman has filed the present miscellaneous petitions claiming wages under Section 17-B of the Industrial Disputes Act. The last drawn wages as stated in the affidavit filed in support of the petitions, is Rs.33,683/- per month. It is the statutory amount to be paid by the employer.

3. Heard both sides.

4. The learned counsel appearing for the Management would submit that 17-B wages are already paid.

5. If not paid already, the Management (writ petitioner) is directed to pay the arrears of 17-B wages (last drawn wages) from the date of the filing of the writ petition till the disposal of the writ petition, within a period of two weeks from the date of receipt of a copy of this order and for the subsequent period, the 17-B wages shall be paid on the 10th day of every English Calendar month.

6. WMP No.7168 of 2018 is ordered accordingly. Post the writ petition, along other connected WMP, in the usual course.

-sd/-

05/10/2018

/ TRUE COPY /

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

TO

1 THE CHIEF MANAGER
INDIAN OVERSEAS BANK, CD DEPARTMENT,
P.B.NO.3765, 763, ANNA SALAI, CHENNAI-02

2 THE PRESIDING OFFICER
THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM LABOUR COURT, SHASTRI BHAVAN,
HADDOWS ROAD, CHENNAI-06

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

The Government Advocate, High Court, Madras - 104.

Order

in

WMP.7168/2018 AND 21752/17

in

WP.20880/2017

Date :05/10/2018

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SDR 08.10.2018



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