

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 25.7.2018

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.A.No.1586 of 2018
and
C.M.P.No.12878 of 2018

The Management,
Salem Co-op. Spinning Mills
through its Administrator(In Charge),
Kamaraj Nagar, Salem-14.

Appellant

Versus

1. The Presiding Officer,
Labour Court, Salem.

2 P.GUNASEKARAN
3 A.K.MURUGESAN
4 A.RAVI
5 K.DHANAPAL
6 VENKATACHALAM
7 V.RAVI
8 V.VETRIVEL
9 P.M.SIVAKUMAR
10 A.BALAMURUGAN
11 A.TIRUGNANAM
12 L.SARAVANAN
13 R.PACHAMUTHU
14 K.GUNASEKARAN
15 C.KANNAN
16 T.SAHASRANAMAM
17 SUNDARAVINAYAGAM
18 C.GANESAN
19 V.SELVARAJ
20 S.LAKSHMANAN
21 S.GOPAL
22 I.SELVAM
23 R.KANAGARATHINAM
24 D.NATARAJAN
25 K.EASWARAN
26 K.MANICKAM
27 A.SARAVANAN
28 P.ARUL
29 I.SUBRAMANI

30 K.ANNAMALAI
31 GNANAMOORTHY
32 SRIDHARAN
33 P.SELVAM
34 P.MURUGESAN
35 N.BALASUBRAMANIAM
36 K.PALANIPPAN
37 R.THANGARAJ
38 N.MOHANRAJ
39 P.PANNEERSELVAM
40 R.THIRUNAVUKKARASU
41 G.DHANAPAL
42 K.MANI
43 V.VISWANATHAN
44 T.KUMARAVEL
45 M.VIVEKANANDAN
46 P.DHARMALINGAM
47 V.GUNASEKARAN
48 T.RAMALINGAM
49 K.SETHU
50 N.ARUMUGAM
51 S.M.RAVI
52 P.MURUGANANTHAM
53 K.MURUGESAN
54 K.PANNEERSELVAM
55 P.ANNAMALAI
56 B.SAKTHIVEL
57 K.DHARMALINGAM
58 P.KUMAR
59 S.BALASUBRAMANI
60 E.PARAMASIVAM
61 J.MURUGESAN
62 C.GOPALAKRISHNAN
63 N.ARULMANI
64 R.BOJAN
65 M.SEKAR
66 V.SHANMUGAM
67 M.JAYARAMAN
68 C.ASHOKAN
69 V.ARIVANANTHAN
70 R.PALANI
71 N.VAITHEESWARAN
72 S.MARIA DOSS
73 M.NAGARAJ
74 V.MADHESH
75 A.P.THANGAVEL
76 S.SETTU
77 M.MURUGAN
78 R.ELAMURUGAN
79 A.SELVAM
80 E.KRISHNAN

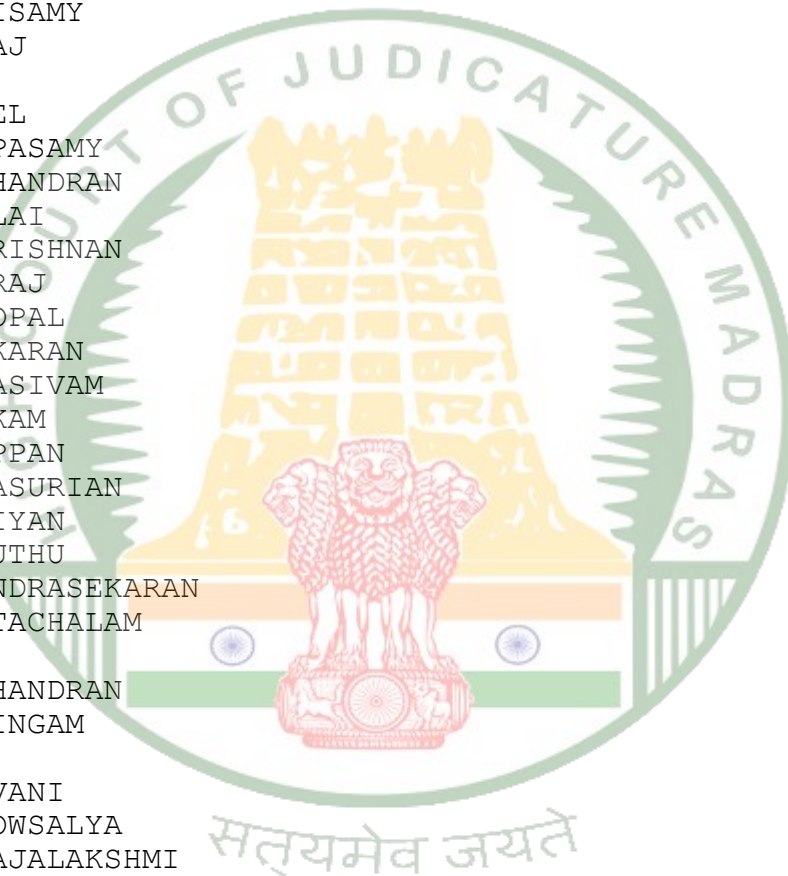


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81 V.NATRAYAN
82 M.KRISHNAN
83 V.MANI
84 M.PACHIAPPAN
85 G.THIRUNAVUKKARASU
86 M.MANI
87 M.SENTHILKUMAR
88 G.GANESAN
89 P.SAKTHIVEL
90 V.RAJENDRAN
91 M.KARUPPANNAN
92 C.PERUMAL
93 G.PALANISAMY
94 P.DHANRAJ
95 S.RAMAR
96 M.VADIVEL
97 K.KARUPPASAMY
98 S.RAMACHANDRAN
99 P.ELUMALAI
100 A.RAMAKRISHNAN
101 R.SELVARAJ
102 C.VENUGOPAL
103 M.PRABAKARAN
104 P.PARAMASIVAM
105 P.MANICKAM
106 K.MARIAPPAN
107 A.UDHAYASURIAN
108 A.MADHAIYAN
109 P.MARIMUTHU
110 G.M.CHANDRASEKARAN
111 M.VENKATACHALAM
112 A.MANI
113 K.RAVICHANDRAN
114 M.MAHALINGAM
115 P.MUTHU
116 SATHIYAVANI
117 MINOR KOWSALYA
118 MINOR RAJALAKSHMI
119 MINOR YAMUNA
120 MINOR LOGESWARAN

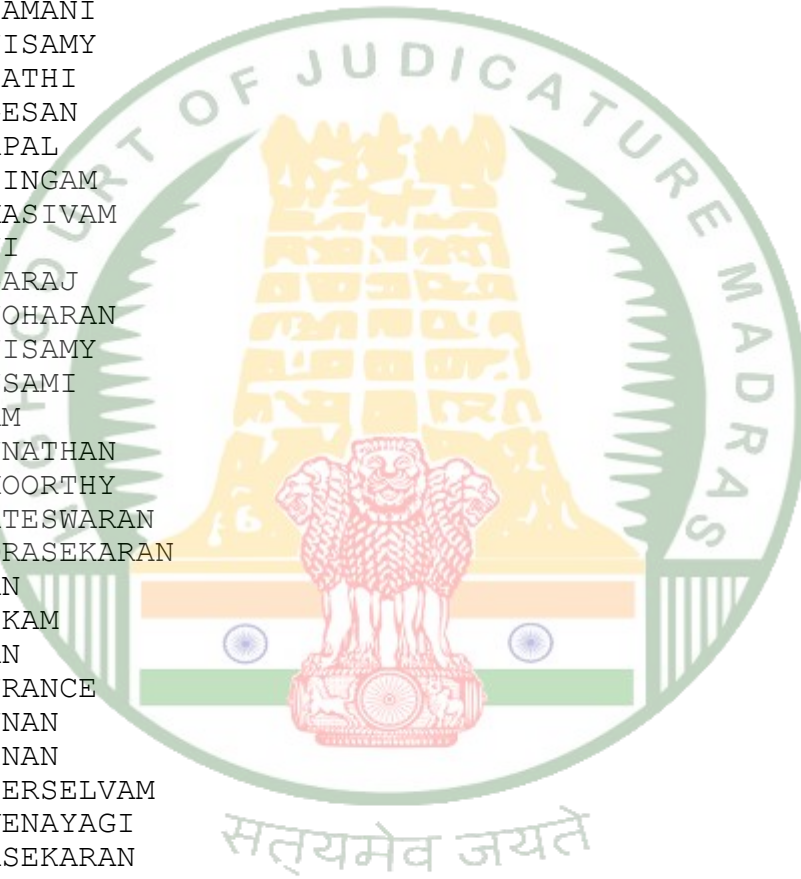
PETITIONERS 117 TO 120 REPRESENTED BY MOTHER
AND GUARDIAN SATHIYAVANI (APPELLANT NO.116)

121 K.VALLI
122 P.MUNIYAPPAN
123 K.PANNEERSELVAM
124 P.RAMU
125 S.ARUMUGAM
126 S.NATARAJAN
127 T.PALANISAMY
128 M.GANDHI



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129 K.SAMRAJ
130 A.MANI
131 G.K.MURUGESAN
132 P.SEKAR
133 P.CHINNATHAMBI
134 A.KANAGARAJ
135 B.ALAMELU
136 J.POOMANI
137 C.THANDA MUTHU
138 K.SELVAM
139 K.SIDHAN
140 A.PERUMAL
141 R.MASILAMANI
142 P.PALANISAMY
143 S.BHOOPATHI
144 P.MURUGESAN
145 R.DHANAPAL
146 A.KASILINGAM
147 S.PARAMASIVAM
148 NAVAMANI
149 R.KANAGARAJ
150 M.A.MANOCHARAN
151 V.PALANISAMY
152 K.KUPPUSAMI
153 G.SELVAM
154 S.JEGANNATHAN
155 M.RAMAMOORTHY
156 M.VENKATESWARAN
157 P.CHANDRASEKARAN
158 P.KANNAN
159 A.MANICKAM
160 M.KANNAN
161 K.A.LAURANCE
162 M.ANGANNAN
163 N.KRISHNAN
164 V.PANNEERSELVAM
165 M.V.DEVENAYAGI
166 CHANDRASEKARAN
167 M.PERIYASAMY
168 C.MANICKAM
169 C.SENRAYAN
170 S.SELVARAJ
171 M.MANICKAM
172 P.NAGARAJAN
173 R.MARIAMMAL
174 P.NALLATHAMBI
175 K.PONMUDI
176 K.SHANMUGAM
177 G.GOVINDARAJ
178 P.SATHIYA MOORTHY
179 T.GUNASEKARAN



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180 G.MURUGESAN
181 A.AMIRTHAM
182 G.RAJA
183 P.SUBRAMANI
184 K.GOVINDAN
185 P.RAMANNA
186 A.THANGARAJ
187 E.GANESHAN
188 A.SELVARAJ
189 R.SINRAJ
190 V.MUTHU
191 K.PERIYASAMI
192 M.PACHAMUTHU

193 A.MOORTHY
COMMON ADDRESS OF THE RESPONDENTS 2 TO 193 -
44A MARIAMMAN KOVIL STREET ASTHAMPATTY
SALEM-7. Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 7.9.2011 passed in W.P.No.21551 of 2009 on the file of this court.

W.P.No.21551 of 2009:Petition filed under Article 226 of the constitution of India praying to issue a Writ of certiorari calling for the records from the file of the 1st respondent in C.P. 321 to 329/2003, 494/2003, 42/2004, 43/2004, 405/2004 to 412/2004 393/2005 to 397/2005 and to quash the Common Order dated 17.09.2007 passed by the 1st respondent in the above claim petitions.

For appellant : Mr.T.P.Savitha
For R38 : Mr.V.Ajay Khose for
Mr.R.Krishnaswamy

JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

The writ appeal has been filed by the Management of the Salem Co-operative Spinning Mills challenging the order passed by the learned Single Judge in dismissing the writ petition filed by them and thereby confirming the order passed by the Labour Court in holding that the respondent-workmen were not paid the wages on par with the permanent workers and they are eligible to get the difference in wages.

2. When the matter was taken up for hearing, the learned counsel appearing for the appellant has filed a copy of the memo which was filed before the Labour Court which discloses that a sum of Rs.1,32,39,000/- vide a cheque dated 24.7.2018 has been deposited before the Labour Court.

3. In view of the above development in the matter, we find that there is due compliance of the order passed by the Labour Court and as a consequence, it is made clear that no further claim will be entertained in this regard. The writ appeal is disposed of accordingly. No costs. The connected miscellaneous petition is closed.

-s/d-
Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

ssk.

To:

1. The Management,
Salem Co-op. Spinning Mills
through its Administrator(In Charge),
Kamaraj Nagar, Salem-14.

2. The Presiding Officer,
Labour Court, Salem.

+1 CC to Mr.V. Ajay Khose, Advocate sr 49890.

+1 CC to Ms.T.P. Savitha, Advocate sr 50303.

W.A.No.1586 of 2018

JP(CO)
SP(12/09/2018)

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