

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Wednesday, the Fifth day of September Two Thousand Eighteen

PRESENT

THE HON`BLE DR. JUSTICE S. VIMALA

WMP NO.11232 OF 2017

IN WP.44271/2016

MR.M.LINGARAJ, [PETITIONER]
C.R.NO.7716, KELLYS ESTATE, MANJUSREE
PLANTATIONS, C/O.AITUC OFFICE, 12/711 D,
SEVIDIPETTAI, GUDALUR, NILGIRIS

Vs

1 M/S.MANJUSHREE PLANTATIONS [RESPONDENTS]
LTD., OUCHTERLONY VALLEY, NEW HOPE POST 643
226, GUDALUR, THE NILGIRIS, REP. BY ITS
DIRECTOR MR.MALLANGADA ANNAIAH APPANNA

2 THE PRESIDING OFFICER
LABOUR COURT, COIMBATORE

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Direct the 1st Respondent / Petitioner to pay to Petitioner / 2nd Respondent 30% of the backwages due from 11.05.2006 to till December 2016 which comes Rs.1,80,939/- (WMP.11232/2017)pending disposal of the above Writ Petition.44271/2016

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.K.LAVAN, Advocate for the petitioner and of MR.S.RAVEEKUMAR, Advocate on behalf of the 1st Respondent the court made the following order:-

In respect of the dispute raised by the workman, the labour court has passed an award dated 17.06.2016 in I.D.No.680 of 2008, directing reinstatement with continuity of service along with 30% 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 petition claiming Section 17-B wages as per the provisions of law. The last drawn wages as stated in the affidavit filed in support of the petitions, is Rs.2,166/- (Rupees Two Thousand One Hundred and Sixty Six only) per month. It is the statutory amount to be paid by the employer.

3. Heard both sides. Considering the facts and circumstances of the case, the management is directed to pay the 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. The petition is ordered accordingly.

-sd/-

05/09/2018

/ TRUE COPY /

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

TO

1 THE PRESIDING OFFICER
LABOUR COURT, COIMBATORE

C.C. to M/S.K.LAVAN Advocate on payment of necessary charges

C.C. to MR.S.RAVEE KUMAR, Advocate Sr.No.10613

Order

in

WMP.11232/2017

in

WP.44271/2016

Date :05/09/2018

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RRI 05/09/2018 (IT)