

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Monday, the Seventeenth day of September Two Thousand Eighteen

PRESENT

THE HON`BLE DR.JUSTICE S.VIMALA

WMP No.11690 of 2018

IN WP.31646/2017

S.ASHOK

[PETITIONER]

Vs

1 M/S.CLARIANT CHEMICALS INDIA [RESPONDENTS]
LTD., SIPCOT CAMPUS, KUDIKKADU,
CUDDALORE 607 005,
REP. BY ITS MANAGER
MR.MUTHUSAMY.

2 THE PRESIDING OFFICER
THE LABOUR COURT, CUDDALORE

3 BHASKARAN
CONTRACT LICENSE HOLDER, M/S.CLARIANT
CHEMICALS INDIA LTD., SIPCOT CAMPUS,
KUDIKKADU, CUDDALORE 607 005.

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 / Management / Petitioner to comply with requirements of Section 17-B of I.D. Act from the date of Writ Petition periodically or from the date of enforcement of the award, (WMP.11690/2018) pending disposal of the above Writ Petition.31646/2017

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.R.MURALIDHARAN, Advocate for the petitioner and of MR.S.MAHESH, Advocate for the 1st Respondent and of MR.G.GLAMURUGU, Advocate for the 3rd Respondent the court made the following order:-

In respect of the dispute raised by the workman, the labour court has passed an award dated 09.08.2016 in I.D.No.11 of 2016, directing reinstatement with full back wages and all other attendant benefits. This award is in challenge in the above writ petition.

2. Pending disposal of the above writ petition, the workman has filed the present miscellaneous petition claiming wages under Section 17-B wages of the Industrial Disputes Act. 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 to till date, 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 each succeeding month.

4. Ultimately, if the petitioner / management succeeds in the writ petition, the third respondent / contractor would be liable to reimburse the wages under Section 17-B paid by the management. The petition is ordered accordingly. Post the writ petition for final hearing on 26.09.2018 for disposal. The interim stay granted already granted by this court is extended until further orders.

-sd/-

17/09/2018

/ TRUE COPY /

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

TO

1 THE PRESIDING OFFICER
THE LABOUR COURT, CUDDALORE

C.C. to M/S.R.MURALIDHARAN Advocate Sr.No.11178

Order

in

WMP.11690/2018

in

WP.31646/2017

Date :17/09/2018

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From 26.2.2001 the Registry is issuing certified
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RRI 17/09/2018 (IT)