

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Wednesday, the Fourteenth day of February Two Thousand Eighteen

PRESENT

THE HON`BLE MR JUSTICE SATRUGHANA PUJAHARI

WMP NO.18992 OF 2017

IN WP.2113/2017

COMPUTER GRAPHICS LIMITED [PETITIONER]
STAFF UNION, REP. BY ITS GENERAL SECRETARY,
NO.31-A, 9 & 10, SIDCO INDUSTRIAL ESTATE,
CHENNAI - 98.

Vs

1 THE MANAGEMENT OF COMPUTER [RESPONDENTS]
GRAPHICS LIMITED, REP. BY ITS MANAGING
DIRECTOR, NO.31-A, 9 & 10, SIDCO INDUSTRIAL
ESTATE, CHENNAI - 98.

2 THE PRESIDING OFFICER,
1ST ADDITIONAL LABOUR COURT, CHENNAI.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Vacate the Stay granted in WMP No.2077 of 2017 in WP No.2113 / 2017 on 30.01.2017.

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.V.PRAKASH, SENIOR COUNSEL FOR M/S.K.SUDALAIKANNU, Advocate for the petitioner and of MR.M.VENKATACHALAPATHY, SC FOR M/S.M.SRIRAM, Advocate on behalf of the 1st Respondent the court made the following order:-

This writ miscellaneous petition has been filed by the members of Staff Union to vacate the stay granted by this Court on 30.01.2017 in WP.No.2077 of 2017.

2. It appears that a writ petition has been filed in W.P.No.2113 of 2017, challenging the award of the labour Court dated 22.07.2016. It seems that while issuing notice, the Court has stayed the operation of the impugned order dated 22.07.2016 subject to the condition that the first respondent /writ petitioner/Management shall deposit an amount of Rs.2.5 lakhs. Accordingly, the said deposit has been made on the file of the labour Court.

3. Heard Mr.V.Prakash, learned Senior counsel for the petitioner/second respondent and Mr.M.Venkatachalapathy, learned Senior counsel for Mr.M.Sriram for the first respondent/Management.

4. It is submitted by the learned counsel for the workmen that the workmen has been deprived of the award in view of the order of stay therefore, this Court should vacate the order of stay and allow this writ miscellaneous petition and to direct the writ petitioner/management to comply with the award.

5. However, the same is vehemently opposed by the learned counsel for the writ petitioner/ respondent no.1 with a submission that the award was perverse and also the amount of compensation awarded is exorbitant, however, he submits that instead of vacating the order, this Court may release of the amount already deposited by the Management/writ petitioner in pursuance to the direction of this Court in this writ petition.

5. Considering the afore said facts and submissions made, this Court though not incline to interfere with the impugned order but directs that the amount of Rs.2.5 lakhs already deposited on the file of the Presiding Officer/I Additional Labour Court, Chennai in I.D.No.172 of 2011 in favour of the workmen concerned through RTGS within a period of 10 days from the date of receipt of a copy of this order.

6. The learned counsel for the workmen submits to take up the writ petition for disposal on merit at an early date since an award in favour of the workmen has been stayed and a poor workmen is deprived benefit thereof. This Bench is not assigned with the roaster, therefore, learned counsel for the workmen if so instructed may make a mention in this regard, before the appropriate Bench.

-sd/-
14/02/2018

/ TRUE COPY /

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

TO
1 THE PRESIDING OFFICER,
1ST ADDITIONAL LABOUR COURT, CHENNAI.

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

C.C. to Mr.M.SRIRAM, Advocate Sr.No.1880

Order

in
WMP.18992/2017

in
WP.2113/2017

Date :14/02/2018

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