

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2018

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.NO.1296 of 2013

State of Tamil Nadu
rep.by its Secretary to Government
Transport Department, Fort St.George
Chennai - 600 009.

.... Petitioner

Vs

1. The Presiding Officer
II Additional Labour Court
Chennai.

2. K.V.Babu

..... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of declaration to declare the entertaining of C.P.No.1878 of 2011 dated 10.07.2012 and E.P.No.58 of 2012 dated 08.01.2013 as illegal and as against the provisions of the Industrial Disputes Act, 1947.

For Petitioner : Mr.N.Srinivasan AGP
For Respondents : R1 - Labour Court
R2 - N.SUNDARAMURTHY

O R D E R

This writ petition has been filed for a declaration to declare the entertaining of C.P.No.1878 of 2011 dated 10.07.2012 and E.P.No.48 of 2012 dated 08.01.2013 as illegal and as against the provisions of the Industrial Disputes Act, 1947.

2. It is represented by the learned counsel appearing for both sides that as a subsequent development, the government has passed G.O.(Ms) No.96, Transport (RW1) Department dated 31.07.2015. The legal position now is that the workman is entitled to pension in terms of the above G.O.No.96 dated 31.07.2015. Accordingly, the management is directed to calculate the pension in terms of G.O.Ms.No.96 dated 31.07.2015 and it shall be paid to the workman within a period of 12 (twelve) weeks from the date of receipt of a copy of this order. With the above directions, the writ petition is disposed of. No costs. Consequently, connected W.M.P. Is closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

To

1. The Presiding Officer
II Additional Labour Court
Chennai.

2. The Secretary to Government
Transport Department, Fort St.George
Chennai - 600 009.

+1 CC TO GOVERNMENT PLEADER SR.NO. 59754

+1cc to Mr.N.SUNDARAMURTHY , Advocate SR.No. 59363

W.P.No.1296 of 2013

ASK(24/10/2018)



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