

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Friday, the Twenty First day of December Two Thousand Eighteen

PRESENT

THE HON`BLE MR JUSTICE S.M. SUBRAMANIAM

WMP No.37570 of 2018

IN WP.NO.20818 OF 2017

THE MANAGING DIRECTOR [PETITIONER]
TAMIL NADU STATE TRANSPORT CORPORATION
(COIMBATORE) LTD, COIMBATORE

Vs

1 V.GOVINDARAJASEKAR [RESPONDENTS]
63/7, MATHESWARAN NAGAR, VELANKANNIKOVIL
STREET BACKSIDE, METTUPALAYAM 641 301

2 THE SPECIAL DEPUTY COMMISSIONER,
OF LABOUR, D.M.S COMPOUND, CHENNAI 6

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to

To modify the interim order dated 4.8.2017 passed in WMP No.21674 of 2017 in WP No.20818 of 2017, in the effect that to deposit the 25 percent back wages instead of 25 percent awarded amount and pass further or other orders in WMP No.37570 of 2018.

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.P.KANNAN KUMAR, Advocate for the petitioner and of MR. L.MOULI, ADVOCATE on behalf of the Respondents the court made the following order:-

The learned counsel for the petitioner in W.M.P.No.37570 of 2018 made a submission that the order of the 2nd respondent dated 20.02.2017 in A.P.No.352 of 2013 is in relation to the grant of approval of punishment. The approval was rejected and challenging the rejection order, the Management filed the writ petition. Thus, question of depositing 25% of the award amount does not arise at all.

2.The learned counsel for the petitioner states that at the time of admission, it was mistakenly represented by the previous learned counsel appeared for the Management that an award was passed. In view of the error, the present miscellaneous petition is

filed to modify the order. However, it is made clear that 25% of the backwages due to the workmen is to be deposited by the Management within a period of four weeks from the date of receipt of a copy of this order.

3. Accordingly, the said order dated 04.08.2017 is modified and miscellaneous petition in W.M.P.No.37570 of 2018 in W.P.No.20818 of 2017 stands ordered.

-sd/-
21/12/2018
/ TRUE COPY /

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

TO

1 THE SPECIAL DEPUTY COMMISSIONER,
OF LABOUR, D.M.S COMPOUND, CHENNAI 6

C.C. to M/S.P.KANNAN KUMAR Advocate SR.NO.15961

Order

in
WMP.37570/2018

in
WP.NO.20818 OF 2017

Date :21/12/2018

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
VC (27/12/2018)