



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 5386 of 2018

C. Rajan

... Petitioner

Vs.

1. The General Manager,
State Transport Corporation (Madurai) Ltd.,
Viruthunagar Region,
Viruthunagar.

2. State Transport Corporation (Madurai) Ltd.,
Bye Pass Road,
Madurai,
Represented by its Managing Director.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to reinstate me into service with continuity of service in pursuant to the award in I.D.No.19 of 2016 dated 08.08.2017 of the Labour Court, Madurai.

For Petitioner

: Mr. V. Kannan

For Respondents

: Mr. A. P. Muthu Pandian

ORDER

The petitioner was employed as a Conductor in the respondent corporation. He is alleged to have committed acts of delinquency. He was therefore removed from service. The petitioner raised an industrial dispute in I.D.No.19 of 2016 on the file of the Labour Court, Madurai. The Labour Court, Madurai by award dated 08.08.2017 directed the writ petitioner's reinstatement. In fact, the Labour Court has given a direction that the petitioner shall be reinstated within a period of three months from the date of receipt of a copy of that order. The said period has since expired. The management does not appear to have filed any writ petition, questioning the award of the Labour Court. Therefore, in view of the specific direction given by the Labour Court by award dated 08.08.2012 in I.D.No.19 of 2016, this Court will have to necessarily call upon the management to comply with the same. Of course, that would be subject to the right of the management to question the award independently.



2. Subject to the aforesaid right of the management to question the award of the Labour Court, the respondents are directed to reinstate the petitioner's service forthwith in terms of the said award. The writ petition is allowed as indicated above. No costs.

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Sd/-

Assistant Registrar (AD-II)

/True copy/

Sub Assistant Registrar

+1CC TO M/S.V.KANNAN, ADVOCATE, SR NO.55037

W.P. (MD) No.5386 of 2018
14.03.2018

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MS/SKN-RSK/SAR-4/16.03.2018/2P.2C