



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.03.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 5709 of 2014

and

W.M.P. (MD) Nos. 1387 of 2016 and 3988 of 2018

V. Udayasuriyan (died)

U. Tharani

... Petitioner

(petitioner is substituted as per the order
of this Court dated 16.03.2018

in W.M.P. (MD) No. 1387 of 2016)

Vs.

1. The Labour Court,
Madurai.

2. The Managing Director,
Tamilnadu State Transport Corporation
(Madurai Division IV) Ltd.,
Bye Pass Road, Collectorate Post Office,
Dindigul.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records of the first Respondent relating to the Award passed by the first Respondent in I.D No. 42/2000 dated 09.11.2011 confirming the dismissal order passed by the 2nd respondent by order dated 15.09.1999 and quash the same and consequently to direct the second respondent to reinstate the petitioner into service with continuity of service and back wages and all other attendant and monetary benefits.

For Petitioner	: Mr. S. Govindan
For R-1	: Labour Court
For R-2	: Mr. A. Jeyaram

O R D E R

Heard the learned counsel on either side.

2. The original writ petitioner V. Udayasuriyan, was employed as a conductor in the respondent/Corporation. He was dismissed from service on 19.05.1999. The allegation was that he misappropriated a sum of Rs. 52,500. The Labour Court by its award dated 09.11.2011, made in I.D. No. 42 of 2000, on the file of the Labour Court, Madurai, upheld the order of dismissal. Questioning the same, this Writ



Petition came to be filed. During the pendency of the petition the said V.Udayasuriyan passed away. In his place his daughter U.Tharani had been substituted.

3.The learned counsel appearing for the petitioner would submit that even a dismissed employee cannot be deprived of certain service benefits such as Leave salary and Provident Fund.

4.The second respondent is directed to compute the service benefits payable on account of the death of the said Udayasuriyan in monetary terms and disburse the same to the present petitioner U.Tharani, daughter of V.Udayasuriyan within a period of eight weeks from the date of receipt of a copy of this order.

5.With these directions, the Writ Petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (RTI)

/True copy/

Sub Assistant Registrar

To

1.The Labour Court,
Madurai.

2.The Managing Director,
Tamilnadu State Transport Corporation
(Madurai Division IV) Ltd.,
Bye Pass Road, Collectorate Post Office,
Dindigul.

+1CC TO M/S.S.GOVINDAN, ADVOCATE, SR NO.56045

ORDER MADE IN
W.P. (MD) No.5709 of 2014
16.03.2018

tsg

MS/RSK/SAR-4/21.03.2018/2P.4C