



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Thursday, the Fifteenth day of November Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

WMP(MD) No.17252 of 2017
IN
WP(MD) No.13742 of 2011

M.SURULI BOMMU

... PETITIONER/1st RESPONDENT

Vs

- 1 THE GENERAL MANAGER,
TAMIL NADU STATE TRANSPORT CORPORATION LTD.,
(EXPRESS) TAMIL NADU DIVISION II,
PALLAVAN SALAI, CHENNAI-2. ... 1st RESPONDENT / PETITIONER
- 2 THE PRESIDING OFFICER,
LABOUR COURT, MADURAI. ... 2nd RESPONDENT / 2nd RESPONDENT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to pay the petitioner a sum of Rs.9,500/- for every month payable under Section 17 (b) of the Industrial Disputes Act from the date of filing of the Writ Petition before this Hon'ble Court, pending disposal of the above Writ Petition.

Prayer in WP(MD). 13742/ 2011 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF CERTIORARI, calling for the records of the order of Labour Court, Madurai in I.D.No.54 of 2001, dated 14-10-2010 and quash the same.

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.R.ARAVINDAN, Advocate for the petitioner and of MR.S.BASKARAN, Advocate for R1, the court made the following order:-

The contesting respondent in the main Writ petition was ordered to be reinstated in service. The said order has been challenged in the Writ petition. During the pendency of the Writ petition, he has not been reinstated. Therefore, the Management is bound to comply with the statutory mandate set out in Section 17(b) of the Industrial Disputes Act. Therefore, this petition has been filed by the employee.



2. The employee averred in his affidavit that he has not been gainfully employed and it has not been controverted by the Management.

3. Hence, this petition is allowed.

sd/-
15/11/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE GENERAL MANAGER,
TAMIL NADU STATE TRANSPORT CORPORATION LTD.,
(EXPRESS) TAMIL NADU DIVISION II,
PALLAVAN SALAI, CHENNAI-2.

2 THE PRESIDING OFFICER,
LABOUR COURT, MADURAI.

+1. C.C. to M/S.R.ARAVINDAN Advocate SR.No.21658

ORDER
IN
WMP (MD) No.17252 of 2017
IN
WP (MD) No.13742 of 2011
Date :15/11/2018

JM/MMS/SAR 4/19.11.2018/2P/4C