



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WEB COPY

W.P. (MD) No. 7221 of 2017

K.Muthuchamy

.. Petitioner

Vs.

1. The Managing Director,
RSM. Sapthagiri Finance Limited,
Head Office, 24B/A, Upstairs,
Swamy Nellaiappar High Road,
Tirunelveli Junction,
Tirunelveli. - 627 001.

2. The Presiding Officer,
Labour Court,
Tirunelveli District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for records pertaining to the dismissal order passed by the second respondent in C.P.No.26/2014, dated 18.05.2016 and quash the same as illegal and arbitrary and consequently directing the first respondent to disburse the difference in wages and bonus to the tune of Rs.39,745/- + Rs.1,890/-.

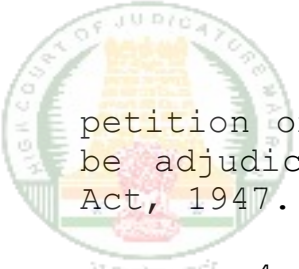
For Petitioner	: Mr. J.Alaguram Jothi
For Respondent No.1	: Mr. P.Chandra Bose
Respondent No.2	: Labour Court

O R D E R

Heard the learned counsel on either side.

2. The petitioner is aggrieved by the dismissal of the claim petition filed by him under Section 33.C.(2) of the Industrial Dispute Act.

3. The petitioner moved the Labour Court, contending that certain sums of money will have to be paid to him. The claim of the petitioner was contested by the Management on the ground that the petitioner herein was employed as a Manager and that he cannot be considered as workman within the meaning of the term 2(s) of the Industrial Dispute Act, 1947. Since the very status and entitlement of the petitioner to invoke the jurisdiction of the Labour Court was contested, the Labour Court dismissed the claim



petition on the ground that the disputed questions of fact cannot be adjudicated under Section 33.C.(2) of the Industrial Dispute Act, 1947.

4. The reason assigned by the Labour Court is quite sound. There is nothing to interfere with the order impugned in this writ petition.

5. The Writ Petition lacks merit and it stands dismissed. No costs.

Sd/-

Assistant Registrar(Cs-I)

/True copy/

Sub Assistant Registrar

To:

The Presiding Officer,
Labour Court,
Tirunelveli District.

+1cc to Mr. P.Chandra Bose , Advocate Sr.No.50412
+1cc to Mr. J.Alaguram Jothi, Advocate Sr.No.50517

KMI

VB/SV/MMS/SAR3/03/05/2018/2P/4C

ORDER MADE IN
W.P. (MD) .No.7221 of 2017
20.02.2018