

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.08.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.No.16551 of 2003

- 1.N.Karuppannan
- 2.N.Ponnusamy
- 3.P.Ammasi
- 4.V.Ramadurai
- 5.V.Thiagarajan (died)
- 6.C.Ponnusamy (died)
- 7.C.Angurajulu (died)
- 8.R.Rajagopal (died)
- 9.S.Venkatachalam
- 10.P.Natarajan
- 11.V.Krishnan (died)
- 12.S.Arockiasamy (died)
- 13.C.Velmurugan
- 14.A.Innachi Muthu
- 15.C.Rajendran
- 16.Victor Joseph (died)
- 17.I.Thomas (died)
- 18.V.Semmalai (died)
- 19.P.Nagarajan
- 20.A.Velmurugan
- 21.A.Senthil Kumar
- 22.A.Amirtharaj
- 23.R.Palaniammal
- 24.T.Pushpa
- 25.S.Jothi
- 26.K.Nirmala
- 27.K.Senthil Kumar
- 28.S.Rohini
- 29.S.Meganathan
- 30.S.Sibi Chakravarthy
- 31.T.Porselvi
- 32.T.Kalaiarasi
- 33.T.Komathi Priyadharshini
- 34.A.Fathima Mary
- 35.A.John
- 36.A.Victoria Mary
- 37.A.Jayarani
- 38.A.Sekar
- 39.Victor J.Lovison
- 40.Victor J.Jhansi Rani

41.Victor J.Nelson
42.T.Manickam
43.T.John Peter
44.T.Amul Raj
45.T.Ponn Mary

.. Petitioners

(Petitioners 19 to 45 were impleaded
as per order dated 29.08.2019 made
in W.M.P. Nos.25282, 25293, 25309,
25328, 25483, 25487, 25488, 25489
and 25490 of 2019 in W.P.No. 16551 of 2003)

Vs.

1. The Presiding Officer,
Labour Court,
Salem.
2. Sesa Sterlite Industries Limited,
Salem.
(R2 amended as per order dated
25.07.2018 by PDAJ in
W.M.P.No.13/2014 in
W.P.No.16551 of 2003)

... Respondents

PRAYER:

Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the common award dated 05.02.1996 passed by the 1st respondent/Labour Court in C.P.Nos.894-928 of 1994, 3/1995 to 6/1995 and 19/1995 to 13/1995 and quash the same as being illegal and unconstitutional and consequently direct the 2nd respondent to pay the wages due to the petitioners after deducting the advance paid to them with 15% interest.

For Petitioners : Mr.V.Govardhanan for
M/s.Row and Reddy

For R2 : M/s.Vishnuvardhan.V

O R D E R

The writ petition is filed challenging the common award dated 05.02.1996 passed by the 1st respondent/Labour Court in C.P.Nos.894-928 of 1994, 3/1995 to 6/1995 and 19/1995 to 13/1995 and consequently direct the 2nd respondent to pay the wages due to the petitioners after deducting the advance paid to them with 15% interest.

2.This Court by order dated 26.02.2002 made in W.P.No.10976 of 1996, quashed the common award dated 05.02.1996 passed by the 1st respondent/Labour Court. In view of the said order passed by this Court, the present Writ Petition is allowed. The petitioners are entitled to their salary, less the advance already paid if any, during the period the petitioners worked. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

gsa

To

1. The Presiding Officer
Labour Court, Salem.

+1cc to M/s.Row and Reddy, Advocate, S.R.No.75332

+1cc to M/s.T.S.Gopalan & Co, Advocate, S.R.No.75054

W.P.No.16551 of 2003

SVI(CO)
CS/18/12/2019