



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.Nos.18855 and 28080 of 2003

S.K.Pannerselvam

.. Petitioner in
W.P.No.18855 of 2003

D.Rathnavel

.. Petitioner in
W.P.No.28080 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.Nos.12 and 10/2014 in
W.P.Nos.18855 and 28080 of 2003)

... Respondents in
both the WPs.

PRAYER: Writ Petitions are 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.896 and 916 of 1994, 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.

In both WPs.

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

For R2 : Mr.S.Haroon Al Rasheed
for M/s.T.S.Gopalan and Co.

R1 : Court



C O M M O N O R D E R

Both the writ petitions are filed challenging the common award dated 05.02.1996 passed by the 1st respondent/Labour Court in C.P.Nos.896 and 916 of 1994 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 petitions are allowed. The petitioners are entitled to their salary less the advance already paid if any, during the period the petitioners worked. No costs.

s/d-
Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

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To

1.The Presiding Officer
Labour Court, Salem.

+1 CC to Mr.T.S. Gopalan & Co, Advocate sr 63722.
+1 CC to M/s. Row and Reddy, Advocate sr 63497

W.P.Nos.18855 and 28080 of 2003

BR(CO)
SP(12/09/2019)