

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.09.2019

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.15536 of 2010

&

M.P.No.1 of 2010

The Management,
M/s.Tamil Nadu Industrial Explosives Ltd.,
Rep by its General Manager,
TEL Post, Vellore - 6.

...Petitioner

..Vs..

1.K.Arunachalam

2.The Presiding Officer,
Additional Labour Court, Vellore.

...Respondents

Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the entire records in connection with the order dated 12.08.2009 made in C.P.No.152 of 2003 on the file of the second respondent, quash the same.

For Petitioner : Mr.A.Abdul Wahab

For Respondent : Mr.S.T.Varadarajulu, (for R.1)

ORDER

The order dated 12.08.2009, passed in Claim Petition No.152 of 2003 is under challenge in the present writ petition.

2. The claim petition is filed in respect of non-payment of increment owing to re-designation and another increment owing to ten years completion of services. The learned counsel for the petitioner states that the Company was already closed down and therefore, no purpose would be served in adjudicating the issues raised in the present writ petition. Pursuant to the interim orders of this Court granted at the time of admission the amount awarded in the Claim Petition was deposited. It is stated that a

sum of Rs.51,003/- was deposited. The learned counsel appearing for the writ petitioner as well as the learned counsel for the workmen brought to the notice of this Court that the 50% of the deposited amount had already been withdrawn by the workmen.

3.Under these circumstances, the first respondent/workmen is permitted to withdraw the balance amount deposited by the writ petitioner pursuant to the interim orders of this Court. The first respondent is at liberty to submit appropriate application before the second respondent and in the event of filing any such application, the identity of the first respondent shall be verified and he may be permitted to withdraw the said amount.

4.With these directions, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

mrn

To

The Presiding Officer,
Additional Labour Court, Vellore.

+1 cc to M/s.MA.Abdul Wahab Advocate sr80578
+1 cc to M/s.S.T.Varadarajulu Advocate sr79901

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