

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Wednesday, the Sixth day of March Two Thousand Nineteen

PRESENT

THE HON`BLE MR JUSTICE V. PARTHIBAN

WMP No.6635 of 2019

IN WP.15525/2018

T.JAMBU,

[PETITIONER]

Vs

1 THE MANAGEMENT, [RESPONDENTS]
TAMIL NADU STATE TRANSPORT CORPORATION
(SALEM) LTD., 12, RAMAKRISHNA ROAD,
SALEM-636 007.

2 THE SPECIAL DEPUTY COMMISSIONER,
OF LABOUR, CHENNAI-6.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Direct the Writ Petitioner Corporation to pay the Petitioner the entire back wages and other attendant benefits from the date of dismissal of the date of filing of the Writ Petition. (WMP.6635/2019)

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.R.KRISHNASWAMY, Advocate for the petitioner and of MR.M.VENKATACHALAM, Advocate on behalf of the Respondent the court made the following order:-

The Management has filed the writ petition challenging the refusal of the labour Court to grant approval for the dismissal of the workman.

2. On behalf of the respondent/workman, the present miscellaneous petition has been filed seeking wages u/s 17 (B) of the Industrial Disputes Act. It is the contention of the learned counsel for the workman that in view of the refusal of the Labour Court to grant approval for the dismissal of the workman, it is needless to mention that the workman is deemed to be in service.

3. Though the above stand is opposed by the petitioner/Management, this Court is of the considered view that the respondent/workman is entitled to wages u/s 17 (B) of the Industrial Disputes Act. Accordingly, this miscellaneous petition is ordered directing the petitioner/Management to pay the last drawn wages, as admissible to the workman, along with arrears of wages, within a period of four weeks from the date of receipt of a copy of this order.

-sd/-
06/03/2019

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE MANAGEMENT,
TAMIL NADU STATE TRANSPORT CORPORATION
(SALEM) LTD., 12, RAMAKRISHNA ROAD,
SALEM-636 007.

2 THE SPECIAL DEPUTY COMMISSIONER,
OF LABOUR, CHENNAI-6.

C.C. to M/S.R.KRISHNASWAMY Advocate Sr.No.3299

Order
in
WMP.6635/2019
in
WP.15525/2018

Date :06/03/2019

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