

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.6656 of 2019

IN WP.23904/2018

V.GANESAN,

[PETITIONER]

Vs

1 THE MANAGEMENT, [RESPONDENTS]
TAMIL NADU STATE TRANSPORT CORPORATION
(KUMBAKONAM) LIMITED, NO.27, RAILWAY STATION
NEW ROAD, KUMBAKONAM-612 001.

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 pass an order of interim direction, directing the 1st respondent to pay the petitioner monthly wages every month from the date of filing of this Writ Petition to till the date of his reinstatement or till the date of (WMP.6656/2019) disposal of the Writ Petition.23904/2018

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.D.VENKATACHALAM, Advocate for 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
(KUMBAKONAM) LIMITED, NO.27, RAILWAY STATION
NEW ROAD, KUMBAKONAM-612 001.

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

C.C. to M/S.R.KRISHNASWAMY Advocate Sr.No.3298

Order
in
WMP.6656/2019
in
WP.23904/2018

Date :06/03/2019

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
RRI 13/03/2019