

IN THE HIGH COURT OF JUDICATURE AT MADRAS

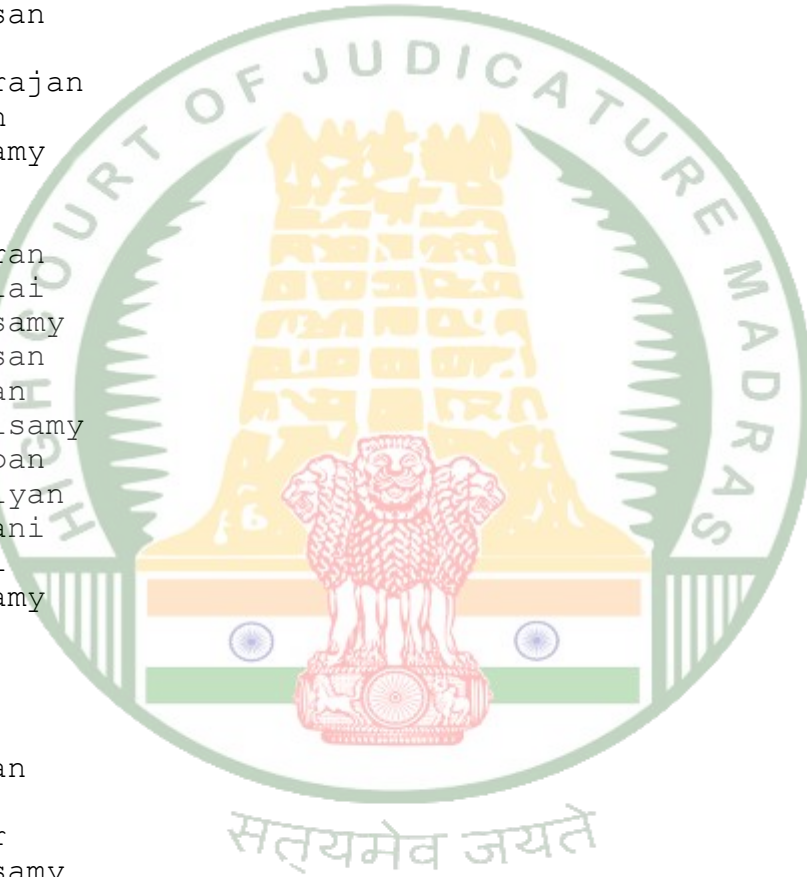
DATED :05.09.2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NOS.41597 & 41598 OF 2016

- 1.K.Siddaiyan
- 2.P.Srinivasan
- 3.P.Ganesan
- 4.A.Sundararajan
- 5.M.Madaiyan
- 6.V.Palanisamy
- 7.K.Raman
- 8.P.Kumar
- 9.N.Surendiran
- 10.V.Annamalai
- 11.K.Palanisamy
- 12.N.Murugesan
- 13.P.Madaiyan
- 14.A.Paalanisamy
- 15.K.Veerappan
- 16.C.Chinnaiyan
- 17.K.Subramani
- 18.Ragupathi
- 19.P.Kandasamy
- 20.R.Saroja
- 21.P.Settu
- 22.K.Settu
- 23.D.Raman
- 24.N.Govindan
- 25.A.Velu
- 26.R.Sridhar
- 27.K.Palanisamy
- 28.P.Ponnusamy
- 29.N.Kandasamy
- 30.M.Elano
- 31.V.Palaniyappan
- 32.A.Perumal
- 33.M.Natesan
- 34.C.Kannan
- 35.K.Govindaraj



WEB COPY

.. Petitioners
in both WPs

..VS..

1. The Chairman
Steel Authority of India,
Corporate Office,
Ispat Bhavan, Luthi Road,
New Delhi - 110 003.
2. The Chief Operating Officer,
SAIL Refractory Company Limited,
Steel Authority of India,
Salem - 636 005.
3. The Deputy General Manager (P&A)
SAIL Refractory Company Limited,
Steel Authority of India,
Salem - 636 005.

.. Respondents
in both WPs

Common Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to regularize the service of the petitioners by implement the award made in I.D.Nos.592 & 601 of 2001, dated 15.06.2006 by the Central Industrial Tribunal cum Labour Court, Chennai, to pay the salary on par with the permanent workers.

For Petitioners : Mr.V.Subramanian
for Mr.K.Premnath

For Respondents : Mr.Sanjay Mohan
for M/s.S.Ramasubramaniam
and Associates

.. in both WPs.

COMMON ORDER

The relief as such sought for in these writ petitions are for a direction to direct the second respondent to implement the awards made in I.D.Nos. 592 & 601 of 2001, dated 15.06.2006, by the Central Industrial Tribunal cum Labour Court, Chennai, to pay the salary on par with the permanent workers.

2. First of all, the award was passed by the Central Industrial Tribunal cum Labour Court, Chennai, on 15.06.2016. However, the present writ petitions are filed on 04.11.2016 i.e., after a lapse of about 10 years from the date of passing of the award. This apart, the award is construed as a decree for all purposes as per the amended provisions of the Industrial Disputes Act. The Decree holder has to file an execution petition for the purpose of execution of the award. Contrarily,

this Court cannot entertain the writ petition under Article 226 of the Constitution of India for the purpose of issuing a direction to implement the award.

3. This being the legal principles to be followed, the writ petitioners are at liberty to approach the Competent Court of Law for the purpose of execution of the award passed by the Central Industrial Tribunal cum Labour Court, dated 15.06.2006 in I.D.Nos.592 & 601 of 2001.

4. With this liberty, the above writ petitions stand disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

Pns

To

1. The Chairman
Steel Authority of India,
Corporate Office,
Ispat Bhavan, Luthi Road,
New Delhi - 110 003.
2. The Chief Operating Officer,
SAIL Refractory Company Limited,
Steel Authority of India,
Salem - 636 005.
3. The Deputy General Manager (P&A)
SAIL Refractory Company Limited,
Steel Authority of India,
Salem - 636 005.

+1cc to Mr.S.P.Yuvaraj, Advocate, S.R.No.77046

+2cc to M/s.S.Ramasubramaniam & Asso.,
in Advocate, S.R.No.76781, 76782

W.P.Nos.41597 & 41598 of 2016

SKV(CO)
CS/24/10/2019