

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 11.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE**W.P. (MD) .No.8697 of 2019****and****W.M.P. (MD) .No.6755 of 2019**

1) The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
New Railway Feeder Road,
Kumbakonam.

2) The General Manager,
Tamil Nadu State Transport Corporation,
(Kumbakonam) Limited,
Maruthupathi

... Petitioners

Vs.

G.Selvaraj

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records relating to the proceedings passed by the Labour Court, Madurai made in C.P.No.12/2013 dated 22.01.2015 and quash the same.

For Petitioners : Mr.P.Prabhakaran
For Respondent : No Appearance

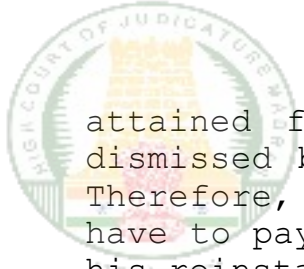
O R D E R

The instant Writ petition has been filed challenging the order dated 22.01.2015, passed by the Labour Court, Madurai in

C.P.No.12 of 2013. The Labour Court, Madurai by its order dated 22.01.2015 in C.P.No.12 of 2013 directed the petitioner Management to pay the respondent a sum of Rs.1,06,035/- (Rupees One Lakh and Six Thousand and Thirty Five only), being the arrears of five months salary, payable to the respondent. Aggrieved by the said order, the instant writ petition has been filed.

2. Heard Mr.P.Prabhakaran, learned counsel appearing for the petitioners and perused the records placed before this Court.

3. Admittedly, the award passed by the Labour Court, Madurai in C.P.No.12 of 2013 dated 29.10.2011 directing the petitioners to reinstate the respondent with continuity of service, within a period of three months from the date of receipt of that order, has now



attained finality, as the challenge to the said Award was also dismissed by this Court on 13.03.2018 in W.P.(MD) No.6983 of 2014. Therefore, it is evidently clear that the petitioner Management will have to pay the arrears of salary to the respondent till the date of his reinstatement into the service of the petitioner Management.

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4. The Labour Court under the impugned order dated 22.01.2015 passed in C.P.No.12 of 2013 has rightly considered this aspect and only thereafter, directed the petitioner Management to pay the arrears of five months salary amount of Rs.1,06,035/- to the respondent. Therefore, there is no merit in this writ petition, as there is no infirmity in the impugned order.

5. At this juncture, learned counsel for the petitioners seeks time for the petitioners to pay the arrears of salary to the respondent as directed by the Labour Court under the impugned order.

6. Acceding to the said request, this Court directs the petitioners to pay the arrears of salary to the respondent as directed by the Labour Court under the impugned order dated 22.01.2015 within a period of eight weeks from the date of receipt of a copy of this order. Accordingly, the **Writ Petition is disposed of**. No costs. Consequently, connected W.M.P.(MD).No.6755 of 2019 is closed.

Sd/-

Assistant Registrar (co)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1) The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
New Railway Feeder Road,
Kumbakonam.
 - 2) The General Manager,
Tamil Nadu State Transport Corporation,
(Kumbakonam) Limited,
Maruthupathi
- +1cc to Mr.P.Prabhakaran, Advocate, SR.No.60290

Order made in
W.P. (MD) .No.8697 of 2019
11.04.2019

SP/16.04.2019/2P/4C