



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.09.2019

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WEB COPY

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

C.R.P. (NPD).(MD).No.719 of 2019

and

C.M.P. (MD).No.4180 of 2019

1.The Divisional Forest Officer,
Social Forestry Division,
Ramanathapuram.

2.The Conservator of Forests,
Social Forestry Division,
Near Collectorate Premises,
Sathur Road,
Virudhunagar,
Virudhunagar District.

... Petitioners/Respondents/
Respondents

Vs.

A.Durairaj

... Respondent/Petitioner/
Petitioner

PRAYER: Civil Revision Petition is filed under Section 115 of C.P.C., against the order made in E.P.No.11 of 2017 in I.D.No.13 of 2011 dated 02.02.2019 on the file of the Labour Court, Madurai.

For Petitioners : Mr.R.Sethuraman, SPL. GP

For Respondent : Mr.S.M.Mohan Gandhi

O R D E R

The Civil Revision Petition has been filed challenging the order passed by the Labour Court, Madurai, in E.P.No.11 of 2017 in I.D.No.13 of 2011, dated 02.02.2019.

2. The learned counsel appearing for the revision petitioners would submit that in I.D.No.13 of 2011, the Presiding Officer, Labour Cour, Madurai, directed the respondents to pay Rs.1,50,000/- towards lumpsum compensation and 50% of backwages to the petitioner within three months from the date of receipt of this order. However, the respondent has restricted his claim to Rs.1,50,000/- only. Since the revision petitioners failed to pay the decree amount as directed by the Presiding Officer, Labour Court, Madurai, in I.D.No.13 of 2011, the decree holder filed E.P.No.11 of



2017, for attachment of movable properties viz., four jeeps of the revision petitioners. The revision petitioners had also agreed to pay a sum of Rs.1,50,000/- to the respondent. However, the said application was allowed by the Court below, by order dated 02.02.2019. Further, the learned counsel appearing for the revision petitioners would submit that the Court below passed an order directing the respondents to deposit the entire amount of Rs.1,50,000/- and they have filed a writ petition, which is also pending before this Court, challenging the order passed by the Presiding Officer, Labour Court, Madurai in I.D.No.13 of 2011 and there is no stay obtained by the revision petitioners.

3. The learned counsel appearing for the respondent would submit that the Presiding Officer, Labour Court, Madurai, ordered only to pay Rs.1,50,000/- towards lumpsum compensation and 50% of backwages for about 34 months to the respondent.

4. Considering the submissions made by both sides, this Court is of the view that though the writ petition is pending before this Court, there is no stay obtained by the revision petitioners against the order passed in I.D.No.13 of 2011 and this Court is of the view that it would be appropriate to direct the revision petitioners to pay a sum of Rs.1,50,000/- lumpsum compensation claimed in E.P.No.11 of 2017 to the respondent. Accordingly, the revision petitioners are directed to pay a sum of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand only) to the respondent as lumpsum compensation on or before 27.09.2019.

5. In view of the above directions, the attachment order passed by the Court below is set aside. Accordingly, this Civil Revision Petition is allowed. No costs. Consequently, the connected Miscellaneous Petition is closed.

6. Post the matter for reporting compliance on 27.09.2019.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

To
The Labour Court, Madurai.

+1 CC to M/s.S.M.MOHAN GANDHI, Advocate (SR-85700[F] dated 06/09/2019)

C.R.P. (NPD) . (MD) . No.719 of 2019
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