



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 18.07.2019
CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WEB COPY

W.P[MD]No.7341 of 2014
and
W.M.P.[MD]No.17483 of 2017

N.Ramasamy

... Petitioner

Vs.

1.The District Forest Officer,
Dindigul Range,
District Collectorate Campus,
Dindigul.

2.The Range Officer,
Sirumalai Range,
District Collectorate Campus,
Dindigul.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the of India for issuance of a Writ of Mandamus, directing the first respondent to consider my representation dated 17.03.2014 and consequently direct the first respondent to reinstate the petitioner in service as fire watcher and pay five months wages of Rs.9000/- within a time frame that may be stipulated by this Court.

For Petitioner : Mr.A.V.Palanichamy

For Respondents : Mr.M.Jeyakumar
Additional Government Pleader

O R D E R

The relief sought for in the present writ petition is for a direction to direct the first respondent to consider the representation submitted by the writ petitioner on 17.03.2014 and to direct the respondent to reinstate the petitioner.

2.The entire claim of the writ petitioner is based on the award passed by the Labour Court in I.D.No.50 of 2008. Learned Counsel for the writ petitioner states that the writ petitioner approached the competent Labour Court for setting aside the order of termination and for reinstatement with backwages. The Labour Court adjudicated the issue and passed an award in favour of the writ petitioner. However, the respondents have implemented the orders of the Labour Court and the writ petitioner has not been reinstated into service as per the award passed by the Labour Court.



3.This Court is of the considered opinion that the Labour Court award is to be executed in the manner prescribed in the provisions of the Industrial Disputes Act, 1947. If the award is not implemented, the aggrieved person should file execution petition with reference to Rule 11-B of the Industrial Disputes Act, 1947. This being the procedures to be followed, now after a lapse of so many years from the date of passing of the award, this Court cannot issue a direction for reinstatement based on the labour Court award which was passed on 28.01.2011.

4.Under these circumstances, the writ petitioner is at liberty to approach the competent forum for the redressal of his grievance in the manner known to law.

5.With these observations, the Writ Petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS)

TO

1.The District Forest Officer,Dindigul Range,
District Collectorate Campus, Dindigul.

2.The Range Officer, Sirumalai Range, District Collectorate Campus,
Dindigul.

+1cc to Mr.A.V.PALANICHAMY,Advocate, SR.No.76144

+1cc to the Spl.Govt.Pleader Sr.No.76269

MR
W.P[MD]No. 7341 of 2014
18.07.2019

NA (02.08.2019) 2P : 5C