

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Friday, the Twenty Eighth day of February Two Thousand Twenty

PRESENT

THE HON`BLE MR JUSTICE K. RAVICHANDRABAABU

WMP No.29113 of 2017

in WP.No.18057 of 2017

M.MURUGAVEL, [PETITIONER]
TRADES MAN (TR-1526), NO.9/72-A,
FIRST FLOOR, T.C.SELVAM ILLAM,
SULAINAIKANPATTI BYEPASS,
SALEM-636 201.

Vs

1 THE SPECIAL DEPUTY [RESPONDENTS]
COMMISSIONER OF LABOUR DMS COMPUS,
ANNA SALAI, CHENNAI

2 THE MANAGEMENT,
TAMIL NADU STATE TRANSPORT CORPORATION
(SALEM) LTD, REP BY GENERAL MANAGER, NO.12,
RAMAKRISHNA ROAD, SALEM-636 007

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Direct the Respondent Management to pay the Petitioner last drawn wages under Section 17(B) of the Industrial Disputes Act from the date of filing of the Writ Petition and continue to pay the same, (in WMP.No.29113/2017) till the disposal of the above WP.No.18057/2017.

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.S.GIRIJA, Advocate for the petitioner and of M/S.D.RAGHU, Advocate on behalf of the 2nd respondents the court made the following order:-

This miscellaneous petition is filed seeking for 17B wages. This petition was filed as early as on 09th October 2017. Till this date, no counter affidavit is filed. It is stated in the affidavit filed in support of the miscellaneous petition that the petitioner, subsequent to the dismissal order, is remaining unemployed and that due to his dismissal, his family is facing financial difficulty. Since the affidavit filed in support of the petition specifically states that he is out of employment from the date of dismissal and such contention is not disproved

by the Management by filing any counter affidavit, this Court is inclined to grant the relief of 17B wages to the miscellaneous petitioner/workman commencing from the date of filing of this Writ Petition.

2. Accordingly, there will be a direction to the writ petitioner Management to pay 17B wages commencing from the date of filing of the writ petition viz., 12.07.2017 to the workman. The arrears of such payment will be made within four weeks from the date of receipt of a copy of this order.

-sd/-

28/02/2020

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE SPECIAL DEPUTY
COMMISSIONER OF LABOUR DMS COMPUS,
ANNA SALAI, CHENNAI

2 THE MANAGEMENT,
TAMIL NADU STATE TRANSPORT CORPORATION
(SALEM) LTD, REP BY GENERAL MANAGER, NO.12,
RAMAKRISHNA ROAD, SALEM-636 007

C.C. to M/S.S.GIRIJA Advocate, Sr.No.2769.

C.C. to M/S.D.RAGHU, Advocate on payment of necessary charges

Order

in

सत्यमेव जयते WMP.29113/2017

in WP.No.18057 of 2017

Date :28/02/2020

From 26.2.2001 the Registry is issuing certified
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