



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2020

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD).No.20893 of 2013

and

M.P(MD).No.1 of 2013

J.Krishnamoorthy

... Petitioner

-Vs-

1.The Management of Tamil nadu State Transport Corporation (Madurai Division-V) Ltd.,
Now renamed as
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Virudhunagar Region, rep., by its General Manager,
Virudhunagar.

2.The Management of
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Rep, by its Managing Director,
Bye-pass Road,
Madurai -16.

3.The Management of
Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
rep., by its Managing Director,
Vannarpettai, Tirunelveli 627 003.

4.The Labour Officer,
Virudhunagar.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the fourth respondent to take steps to prosecute the first and second respondents under Section 25-T and 25-U of ID Act for their failure to implement the award of the Labour Court, Madurai dated 02.11.2011 in ID.No.93/2004.

For Petitioner : Mr.S.Arunachalam

For Respondents : Mr.J.Senthilkumaraiah

for R1 & R2

Mr.K.Sathiyasingh

for R3

Mr.P.Mahendran

Additional Government Pleader (For R4)



ORDER

The relief sought for in the present writ petition is to direct the fourth respondent to take steps to prosecute the first and second respondents under Section 25-T and 25-U of ID Act for their failure to implement the award of the Labour Court, Madurai, dated 02.11.2011 in ID.No.93/2004.

2.As far as the execution of the award passed by the Labour Court is concerned, the amended Section 11-B contemplates filing of an Execution Petition. Thus, the execution of the order is to be done by following the procedures contemplated under Section 11-B of the Industrial Dispute Act. No writ petition is entertainable for the execution of the award passed by the Labour Court. This apart, already 7 years lapsed from the date of filing of the writ petition. Under these circumstances, this Court is of the opinion that the petitioner has to approach the competent Labour Court for the purpose of execution of the award and for invoking the other provisions of the Industrial Dispute Act in the manner known to law.

3.With the observations the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmk

To

The Labour Officer,
Virudhunagar.

+1cc to M/s.K.Sathiya Singh, Advocate Sr.No.26195
+1cc to Special Government Pleader, Sr.No.26267

W.P. (MD).No.20893 of 2013

16.12.2020

PU (CO)
NR (08/01/2020) 2P : 4C