



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.7195 of 2014

and

M.P (MD) .No.1 of 2014

WEB COPY

The Executive Engineer,
Tamil Nadu Electricity Board,
(Operation and Maintenance)
Thanjavur Division,
Vallam Road,
Thanjavur.

... Petitioner

Vs.

1.S.Poyyamozhi

2.The Presiding Officer,
Labour Court,
Cuddalore

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to award passed by the 2nd respondent in I.D.No.35 of 2009 dated 07.03.2012 and quash the same as illegal.

For Petitioner	: Mr.Anand Gopalan for M/s.T.S.Gopalan & Co.
For R1	: Mr.G.Sankaran
For R2	: Court

ORDER

The learned counsel appearing on behalf of the petitioner made a submission that a memo has been filed by the petitioner dated 03.12.2020, which reads as follows:

" MEMO FILED BY THE PETITIONER

1.The above writ petitions have been filed against the Award of the Labour Court, Cuddalore, ordering reinstatement of the respondents with continuity of service and 25% back-wages.

2.All the respondents were Contract Labourers working for the petitioner Organisation. In terms of the Scheme of absorption in the petitioner Organisation, all of them had been absorbed in the service of the petitioner in the year 2016. These respondents had agreed to their absorption from the year 2016, and have given an undertaking not to press



for back-wages or any other benefits for the period prior to 2016, namely the period were engaged as Contract Labourers.

3.This Hon'ble Court may, therefore, be pleased to take on record the above facts and dispose of the above writ petition, setting aside the award of the Labour Court, holding that the respondents are entitled to benefits only from 2016, ie., from the date from which they were absorbed into the services of this petitioner and pass such or further orders as this Hon'ble Court may deem fit in the interest of justice."

2.In view of the memo filed by the petitioner, no further adjudication needs to be undertaken with reference to the grounds raised. Thus, this Writ Petition stands disposed of. No cost. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (crl side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Ns

To

The Presiding Officer,
Labour Court,
Cuddalore.

+1 CC to Mr.P.MALINI, Advocate (SR-24218[F] dated 07/12/2020)

W.P. (MD) No. 7195 of 2014

and

M.P (MD) .No.1 of 2014

03.12.2020

VB (11.12.2020) 2P 3C