



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2021

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MS.JUSTICE R.N.MANJULA

W.A.No.692 of 2021
and C.M.P.No.3844 of 2021

1.The Joint Director of Medical
and Rural Health Services,
Salem - 1.

2.The Dean,
Government Mohan Kumaramangalam,
Medical College Hospital,
Salem.

.. Appellants

Vs

1.M.Chandran

2.The Presiding Officer,
Labour Court,Salem.

.. Respondents

Appeal filed under Clause 15 of Letters Patent against the order dated 31.08.2020 made in W.M.P.No.1164 of 2018 in W.P.No.976 of 2018.

Prayer in W.M.P.No.1164 of 2018 : To stay the operation of the order dated 19.06.2017 made in C.P.No.215 of 2013 on the file of the Labour Courts, Salem the Second Respondent herein Pending disposal of the W.P.No.976/2018.

Prayer in W.P.No.976 of 2018 : To issue a Writ of Certiorari calling for the records relating to the order dated 09/06/2014 made in C.P.No.215 of 2013 on the file of the Labour Court, Salem the Second Respondent herein and quash the same.

For Appellants : Mr.D.Ravichander
Government Counsel

For Respondents : Mr.K.M.Ramesh for R1
R2 - Court



JUDGMENT
(Delivered by M.M.SUNDRESH, J.)

WEB COPY This appeal lies in a narrow compass. On a challenge made to the award passed in C.P.No.215 of 2013, the learned Single Judge directed the appellants to deposit a sum of Rs.17,83,113/- in an interest fetching fixed deposit in the name of the Presiding Officer, Labour Court, Salem.

2. The learned Government Counsel appearing for the appellants submitted that the very application is not maintainable and, therefore, the order requires interference.

3. Learned counsel appearing for the first respondent submitted that the said issue has been taken note of by the Labour Court and in any case the merits are not required to be gone into at this stage.

4. The contention on merit cannot be gone into at this stage. Admittedly, the first respondent has obtained the award in his favour. In such view of the matter, though we do not find any error in the order passed by the learned Single Judge, considering the difficulties expressed, we are inclined to modify the same by directing the appellants to pay 50% of the award passed by the Labour Court in C.P.No.215 of 2013 to the first respondent along with accrued interest as ordered by it, within a period of eight weeks from the date of receipt of a copy of this judgment, failing which, the interim stay granted would stand vacated automatically.

5. With the above direction, the writ appeal stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-IX)

//True copy//

Sub Assistant Registrar

mmi/ssm



To

1. The Presiding Officer,
Labour Court, Salem.

2. The Joint Director of Medical
and Rural Health Services,
Salem - 1.

3. The Dean,
Government Mohan Kumaramangalam,
Medical College Hospital,
Salem.

+1cc to Mr.K.M.Ramesh, Advocate SR.No.29997

+1cc to Government Pleader SR.No.30405

W.A.No.692 of 2021

AJS (CO)
GMY (19/07/2021)