



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Monday, the Fifteenth day of March Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice M.S.RAMESH

W.M.P. (MD) Nos.8328 & 8329 of 2020
in
W.P. (MD) Nos.22579 & 23480 of 2019

S.S.MADURAI VEERAN

... PETITIONER/ RESPONDENT
IN WMP (MD) No.8328 of 2020
IN WP (MD) No.22579 of 2019

A.SURESH KUMAR

... PETITIONER/ RESPONDENT
IN WMP (MD) No.8329 of 2020
IN WP (MD) No.23480 of 2019

- VS. -

THE MUNICIPAL COMMISSIONER
MELUR MUNICIPALITY,
MELUR, MADURAI DISTRICT.

... RESPONDENT/ WRIT PETITIONER
IN BOTH THE PETITIONS

Prayer in WMP (MD) No.8328 of 2020 IN WP (MD) No.22579 of 2019:

To direct the respondent/writ petitioner to pay the petitioner/respondent wages under section 17(B) of the Industrial Disputes Act Every month, till the disposal of the main writ petition in WP (MD).No.22579/2019.

Prayer in WMP (MD) No.8329 of 2020 IN WP (MD) No.23480 of 2019:

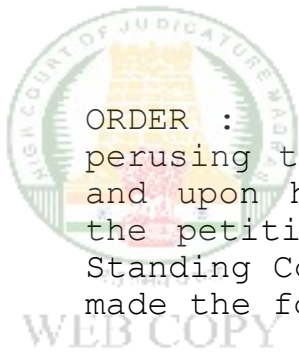
To direct the respondent/writ petitioner to pay the petitioner/respondent wages under section 17(B) of the Industrial Disputes Act every month, till the disposal of the main writ petition in WP (MD).No.23480/2019.

Prayer in WP (MD) . 22579/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Calling for the records which pertain to the impugned order dated 16.07.2019 in I.D.No.50/2014 on the file of the Learned Labour Court, Madurai and quash the same.

Prayer in WP (MD) . 23480/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to calling for the records which pertain to the impugned order dated 16.07.2019 in I.D.No.46/2014 on the file of the Learned Labour Court, Madurai and quash the same.



ORDER : These petitions coming up for orders on this day, upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of Mr.T.RAVICHANDRAN, Advocate for the petitioner in both the petitions and of Mr.P.BALASUBRAMANIAN, Standing Counsel for the Respondent in both the petitions, the court made the following order:-

As per the Award of the Labour Court passed in I.D.No.50 of 2014, the petitioner/respondent was directed to reinstate the petitioner back into service. As such, the petitioner would be entitled for the last drawn monthly wages as per Section 17(B) of the Industrial Disputes Act, 1947 (hereinafter referred as the 'I.D. Act').

2. Mr.P.Balasubramanian, learned standing counsel for the respondent would orally submit that the petitioner is gainfully employed. This submission is not backed with a counter affidavit or any other evidence. Hence, such a submission is rejected. Accordingly, the miscellaneous petitions stand allowed and there will be a direction to the respondent Corporation to disburse the wages to the petitioner under section 17(B) of the I.D. Act forthwith, in any event, within a period of two weeks from the date of receipt of a copy of this order. Post the matter for final disposal on 07.06.2021.

sd/-
15/03/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE PRESIDING OFFICER,
LABOUR COURT,
MADURAI.

2 THE MUNICIPAL COMMISSIONER
MELUR MUNICIPALITY,
MELUR, MADURAI DISTRICT.

ORDER IN
W.M.P. (MD) Nos.8328 & 8329 of 2020
in
W.P. (MD) Nos.22579 & 23480 of 2019
Date :15/03/2021

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MS/PN/SAR-3/19.03.2021/2P.3C