



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.10.2021

CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P. (MD)No.11765 of 2015

and

M.P. (MD)No.2 of 2015

WEB COPY

- 1.The General Manager,
The State Express Transport Corporation Limited,
Chennai.
 - 2.The Branch Manager,
The State Express Transport Corporation Limited,
Kanyakumari Branch
- ... Petitioners
- vs.

- 1.The Presiding Officer,
Labour Court, Tirunelveli.

- 2.Edwin Sekar
- ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records of the first respondent in C.P.No.5 of 2014, dated 26.05.2015 and to quash the same.

For Petitioners	: Mr.K.Sudalaiyandi
For R-2	: No appearance
For R-1	: Labour Court

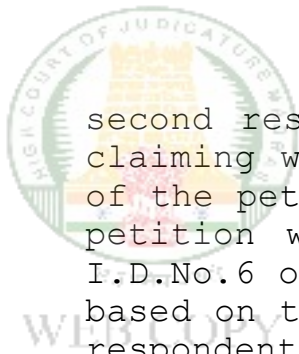
O R D E R

This Writ Petition is filed by the State Express Transport Corporation challenging the order passed by the Labour Court in C.P.No.5 of 2014, dated 26.05.2015.

2.Heard Mr.K.Sudalaiyandi, learned Counsel appearing for the petitioners.

3.The petitioners earlier filed a Writ Petition in W.P.(MD) No.12726 of 2014, challenging the award of Labour Court in I.D.No.6 of 2012. The petition filed by the second respondent herein in I.D.No.6 of 2012 was allowed. After setting aside the order of termination, the Labour Court reinstated the second respondent into service with back wages and continuity of service.

4.Consequent to the award of Labour Court cancelling the order of termination and the relief granted in I.D.No.6 of 2012, the



second respondent filed C.P.No.5 of 2014 before the Labour Court claiming wages from the date of dismissal till the date of filing of the petition in C.P.No.5 of 2014. By impugned order, the claim petition was allowed by the Labour Court based on the award in I.D.No.6 of 2012. Since the order passed in the Claim Petition is based on the award of Labour Court earlier in favour of the second respondent, this Court find no other reason to interfere with the order of Labour Court allowing the claim petition filed by the second respondent, especially when this Court has confirmed the award of Labour Court in I.D.No.6 of 2012 by dismissing the Writ Petition in W.P.(MD)No.12726 of 2014, filed by the petitioners challenging the award.

5. Accordingly, the Writ Petition is dismissed as devoid of any merits. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tmg/cmr

To

The Presiding Officer,
Labour Court, Tirunelveli.

+1 CC to M/s.K.SUDALAIYANDI, Advocate (SR-32026[F] dated 20/10/2021)

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RK/UV (02/11/2021) 2P 3C