



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Tuesday, the Nineteenth day of April Two Thousand Twenty Two

PRESENT

THE HON`BLE MR.JUSTICE D.KRISHNAKUMAR

WMP.No.1051 of 2022

IN WP.No.8419 of 2021

K.GANGADHARAN [PETITIONER]
S/O.KASI, NO:1054, MAIN ROAD, KATTUKANALUR,
KANNAMANGALAM POST, ARNI TALUK,
THIRUVANNAMALAI DISTRICT.

Vs

1 THE MANAGING DIRECTOR [RESPONDENTS]
STATE EXPRESS TRANSPORT CORPORATION (TN) LTD.,
NO.2, PALLAVAN SALAI, CHENNAI-2

2 STATE OF TAMIL NADU
REP. BY ITS SECRETARY TO GOVERNMENT,
TRANSPORT DEPARTMENT
FORT ST.GEORGE, CHENNAI-9

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to direct the 1st respondent to give employment as conductor based on the Labour Court Award in I.D.No. 142/2016 dated 28.02.2020 alternatively direct the 1st respondent to pay wages under 17 B of the Act under the present minimum was Act without violating the Article 21 and 23 of the Constitution India from 01.03.2020 (IN WMP.No.1051 of 2022) pending disposal of the WP.No.8419 of 2021.

Order : This petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.S.PACKIARAJ, Advocate for the Petitioner and of MR.K.KATHIRESAN, Advocate for the 1st Respondent and of M/S.S.ANITHA, Special Government Pleader for the 2nd Respondent, the court made the following order:-

This Writ Petition has been filed by the Management challenging the award dated 28.02.2020 in I.D.No.142 of 2016 on the file of the III Additional Labour Court, Chennai. The present miscellaneous application has been filed by the respondent/workman praying for payment of Wages under Section 17B of the Industrial Disputes Act, 1947.



2.Mr.K.Kathiresan, learned counsel for the petitioner Management has not objected for payment of 17B wages to the petitioner.

3. In the light of the above, there shall be an order of interim stay of the operation of the impugned award on condition that the petitioner Management shall pay Last Drawn Wages under Section 17B of I.D. Act to the respondent/Workmen from the date of filing the writ petition till 01.04.2022 and shall continue to pay the same every month on or before 10th of every English Calendar Month. It is made clear that the petitioner/Management shall deposit the aforesaid arrears amount to the credit of I.D.No.142/2016 on the file of the III Additional Labour Court, Chennai and if any such amount is paid, it is open to the respondent/workman to withdraw the same.

4. This Miscellaneous Petition stands disposed of accordingly.

-sd/-

19/04/2022

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE MANAGING DIRECTOR
STATE EXPRESS TRANSPORT CORPORATION (TN) LTD.,
NO 2, PALLAVAN SALAI, CHENNAI-2.

2 THE SECRETARY TO GOVERNMENT,
STATE OF TAMIL NADU
TRANSPORT DEPARTMENT,
FORT ST.GEORGE, CHENNAI-9.

COPY TO

THE III ADDITIONAL LABOUR COURT,
CHENNAI.

C.C. to M/S.S.PACKIARAJ, Advocate SR.NO. 3062/2022.

Order
in
WMP.No.1051 of 2022
IN WP.No.8419 of 2021
Date :19/04/2022

From 26.2.2001 the Registry is issuing certified
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TP(26/04/2022)