



W.P.No.25552 of 2006

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2022

CORAM

THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

W.P.No.25552 of 2006
and
M.P.Nos.1 of 2006 & 1 of 2007

The Administrator,
Karaikal Central Co-operative
Processing Supply & Marketing
Society Ltd.,
Karaikal.

.. Petitioner

Vs.

1. V.Vijaykumar

2. Labour Court,
Karaikal, Pondicherry.
..Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorari to call for the records of the second respondent in the order dated 23.02.2006 in I.D.16/2001 and quash the same.

For Petitioner : Mr.K.Raja Srinivas

For Respondents : Mr.V.Govarthanan



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ORDER

This writ petition is filed challenging the order of the Labour Court, Karaikal directing the reinstatement of the first respondent, wherein, the retrenchment of the first respondent was set aside and the petitioner was at liberty to accommodate the first respondent in any suitable position. It is submitted by the parties that pursuant to the order passed by this Court directing the payment of back wages, the petitioner has reinstated the first respondent as Watchman and that he had also superannuated. The only issue that remains is the payment of back wages. Further it is submitted by the learned counsel for the first respondent that he has been only paid the wages after reinstatement and not actual salary payable for a Watchman. The said dispute cannot be decided in the writ petition and the petitioner shall approach the appropriate forum on filing the proper petition.

2. In view of the above submission that the 1st respondent has been reinstated and has attained superannuation, the writ petition has become infructuous. However, the first respondent is required to approach the appropriate forum by way of filing proper application.



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However, liberty is granted to the petitioner to take appropriate action in accordance with law. No costs. Consequently, connected miscellaneous petitions are closed.

20.09.2022

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Speaking Order/ Non Speaking Order
Index: Yes/ No

To

Labour Court,
Karaikal, Pondicherry.



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K. KUMARESH BABU, J.

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