



W.M.P.No.2270 of 2022
in
W.P.No.27618 of 2021

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ABDUL QUDDHOSE.J.,

This Writ Miscellaneous Petition has been filed seeking for a direction to the Writ Petitioner (Management) to pay this petitioner the wages last drawn in terms of Section 17 (b) of the Industrial Disputes Act, 1947, pending disposal of the Writ Petition.

2. The Writ Petitioner (Tamil Nadu State Transport Corporation, Villupuram Ltd.) have filed the present Writ Petition, aggrieved by the Judgment of the Lower Court, Cuddalore in I.D.No.36 of 2017 dated 07.01.2021. Under the said Judgment, a direction was issued to the Writ Petitioner (Management) to reinstate this petitioner without backwages. The petitioner has filed this Writ Miscellaneous Petition under Section 17 (b) of the Industrial Disputes Act, 1947 on the ground that he has not been employed elsewhere and he is the sole bread winner for his family.

3. Till date, no Counter has been filed by the Writ Petitioner (Management) despite several opportunities having been given by this



Court. It is mandatory for the Writ Petitioner (Management), to pay the 17(b) wages to this petitioner, since they have not been able to prove that this petitioner has been gainfully employment elsewhere.

4. The contentions of the petitioner in this Affidavit filed in support of the 17 (b) petition will have to be necessarily accepted by this Court as no contra evidence has been produced by the Writ Petitioner (Management).

5. Accordingly, this W.M.P.No.2270 of 2022 in W.P.No.27618 of 2021 is allowed as prayed for and the Writ Petitioner (Management) is directed to pay the wages last drawn in terms of 17(b) of the Industrial Disputes Act, 1947, pending disposal of this Writ Petition within a period of four weeks from the date of receipt of a copy of this order.

6. Post the main Writ Petition on 22.12.2022.

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11.11.2022



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