



W.P. No.352 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.10.2022

CORAM

THE HON'BLE MR.JUSTICE **M.S.RAMESH**

W.P. No.352 of 2010

Tamil Nadu State Transport
Corporation (Salem) Ltd.,
rep. by its Managing Director,
No.12, Ramakrishna Road,
Salem 636 007.

.. Petitioner

Vs

1.The Presiding Officer,
Labour Court, Salem.

2.S.Selvakumar

.. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of Certiorari calling for the records of the first respondent relating to Award dated 03.12.2008 in I.D. No.60/2006, quash the same.

For Petitioner : Mr.R.Babu

For Respondents : R1-Court
No appearance for R2

ORDER

This writ petition has been filed, challenging the Award dated 03.12.2008 passed by the Presiding Officer, Labour Court, Salem, the first respondent herein in I.D. No.60/2006. Though the name of the



W.P. No.352 of 2010

second respondent has been printed in the cause list, none appears on his behalf.

2. When the second respondent had challenged the order of dismissal dated 17.08.2002, before the Labour Court in I.D. No.60 of 2006, an Award for re-instatement with continuity of service, but without back wages and other monetary benefits, came to be passed by the Labour Court on 03.12.2008. The second respondent has not challenged the Award insofar as it denies monetary benefits.

3. Learned counsel for the petitioner Corporation submitted that pursuant to the Award of the Labour Court, the second respondent has been re-instated in service on 25.01.2010.

4. In view of the re-instatement and also taking note of the fact that the second respondent has not challenged the Award, no effective orders can be passed in the writ petition. In case the second respondent is of the view that he would be entitled for any monetary benefit between the date of Award and date of re-instatement, liberty is hereby granted to him to approach the petitioner Corporation seeking for such benefits and on receipt of such request by way of a



W.P. No.352 of 2010

representation, the petitioner Management shall pass appropriate orders, on his own merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. Accordingly, this writ petition stands disposed of. No costs.

20.10.2022

Index : Yes
vga

To

The Presiding Officer,
Labour Court, Salem.



WEB COPY



W.P. No.352 of 2010

M.S.RAMESH,J.

vga

W.P. No.352 of 2010

20.10.2022