



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Friday, the Fourth day of February Two Thousand Twenty Two

PRESENT

THE HON`BLE MR.JUSTICE M.S.RAMESH

WMP.No.6831 of 2020

in WP.No.15376 of 2018

UNITED LABOUR FEDERATION, [PETITIONER]
REP. BY ITS SECRETARY,
NO. 149, IV FLOOR,
C.J.COMPLEX, THAMBU CHETTY STREET,
CHENNAI - 600 001.

Vs

1 THE MANAGEMENT OF RSB [RESPONDENTS]
TRANSMISSIONS INDIA LIMITED,
REP. BY ITS MANAGING DIRECTOR,
G23, G24, SIPCOT INDUSTRIAL PARK, KATRAMBAKKAM,
IRRUNGATTUKOTTAI, SRIPERUMBUDUR,
KANCHEEPURAM DISTRICT - 602 105.

2 THE PRESIDING OFFICER,
HONOURABLE I ADDITIONAL LABOUR COURT,
CHENNAI - 600 104.

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 Management /Writ Petitioner to pay the 29 workers who are members of the Petitioner / 2nd Respondent Union their respective last drawn wages every month(in WMP.No.6831 of 2020)pending disposal of the above WP.No.15376 of 2018.

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.SILAMBANAN, Senior Counsel for M/S.P.GANESHRAM, Advocate for the petitioner and of MR.V.PRAKASH, Senior Counsel for M/S.JAYARAMAN & ASSOCIATES for 1st Respondent, the court made the following order:-

The total number of workmen, who had the benefit of award of reinstatement before the Labour Court, are 29 in numbers. Out of the 29 workers, 14 workers have entered into a settlement with the management and accordingly, their full and final dues were settled.

2. The claim with regard to the balance 15 workers is opposed by the management by stating that the 2 among the 15 workers, namely, Winsingh and N.Manikandan, are gainfully employed. The



learned Senior Counsel appearing for the management seeks time to file a counter affidavit with regard to these 2 workers, who are allegedly employed, after the date of the award.

3. Insofar as the remaining 13 workers, namely, M.Shankaran, P.Jegadeesan, N.Suresh, A.Ramesh, N.Kannan, T.Mahendran, J.Sivakumar, N.Vijayakumar, P.Venkatesan, C.Jeeva, M.Murugan, Leela Krishnan, A.Saravanan, are concerned, the learned Senior Counsel for management would submit that they are willing to reinstate them back into service by next week and also pay the arrears of the last drawn wages under Section 17(b) of the Industrial Disputes Act.

4. In the light of the submission made by the learned Senior Counsel for the management, there shall be a direction to the management to pay the last drawn wages under Section 17(b) from the date of the writ petition i.e. 20.06.2018, till the date of actual payment to the aforesaid 13 workers. The management shall also reinstate these 13 workers, who are required to report before the management, atleast before 11.02.2022. The management is also granted time to pay 50% of the arrears of Section 17(b) wages on or before 17.02.2022 and the balance 50% before 28.02.2022.

5. Insofar as the other 2 workers, who are alleged to have been gainfully employed, the management shall file a counter affidavit on or before 18.02.2022.

6. The Writ Miscellaneous Petition stands ordered, accordingly.

7. Post the matter "for recording compliance" on 18.02.2022.

-sd/-
04/02/2022

/ TRUE COPY /

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

TO

THE PRESIDING OFFICER,
I ADDITIONAL LABOUR COURT, CHENNAI-600 104.

C.C. to M/S.P.GANESHRAM Advocate SR.NO.813/2022

Order
in
WMP.No.6831 of 2020
in WP.No.15376 of 2018
Date :04/02/2022

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format

<https://hcservices.ecourts.gov.in/hcservices/>
GS (10/02/2022) (IT)