



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.6353 of 2015

S.Manimaran

...Petitioner

Vs

1. The Management of  
Tamil Nadu Tourism Development  
Corporation Limited,  
Tamil Nadu Tourism Complex  
No.2, Wallajah Road,  
Chepauk, Chennai - 600 005.

2. The Presiding Officer,  
II Additional Labour Court,  
Chennai.

...Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying for the issuance of Writ of Certiorari or any other appropriate writ or order or direction in the nature of writ calling for the entire records which culminated in passing the award dated 21.11.2014 in I.D.No. 270 of 2010 on the file of the second respondent Labour Court and quash the same in so far as it relates to refusal to award backwages, continuity of service and other benefits to the petitioner.

For Petitioner : Mr. C.Prakasam

For R.1 : Mr.Anand Gopalan  
for M/s.T.S.Gopalan & Co.

For R.2 : Labour Court

O R D E R

The petitioner herein, who was engaged as a casual driver on daily wages by the Respondent Corporation, was terminated from the services. On challenge, the II Additional Labour Court, Chennai through its award dated 21.11.2014 order for re-instatement in the same position as a casual driver on daily wages. However, backwages and other monetary benefits were denied, which is challenged in the present writ petition.

2.The reason assigned by the Labour Court in denying the



backwages is that there were no material to ascertain the possible number of days, the petitioner could have worked, if he was not dismissed. Admittedly, the petitioner has not been confirmed with a permanent status and was a casual driver on daily wages. While that being so, the observations of the Labour Court that there was an uncertainty in the possible number of days which he could have been engaged, cannot be found fault with.

3.As such, I do not find any infirmity in the Labour Court award. In the light of the above observations, this Writ Petition stands dismissed. No costs.

Sd/-  
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rgi

To

1. The Management of  
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Corporation Limited,  
Tamil Nadu Tourism Complex  
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2. The Presiding Officer,  
II Additional Labour Court,  
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+1cc to M/s.Gopalan, Advocate, S.R.No.585

W.P.No.6353 of 2015

MG(CO)  
RGA(21/01/2022)