



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.2425 of 2004

The Management,
Tamilnadu State Transport Corporation,
(Kumbakonam Div.I) Ltd.,
Kumbakonam,
Rep. by its General Manager.

...Petitioner

-Vs-

1.The Presiding Officer,
Labour Court, Cuddalore.

2.Tmt.Lilly Rose

3.Thiru.N.Idayavanan

4.Thiru.N.Manimaran

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari calling for the records pertaining to the Award dated 31.10.2002 made in I.D.No.542 of 1992 on the file of 1st respondent herein and quash the same.

For Petitioner : Mr.D.Venkatachalam

For R2 to R4 : Mr.P.K.Rajagopal

ORDER

With the consent of both the parties, this writ petition is taken up for final disposal.

2. After the Award in I.D.No.542 of 1992 dated 31.10.2002 was passed by the first respondent herein, the employee, namely, A.Narayanasamy expired. His legal heirs are the respondents 2 to 4 herein.



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3. The learned counsel for the petitioner Corporation submitted that the entire death-cum-retirement benefits, including the back wages, have been deposited before the Labour Court, Cuddalore and that they have no objection if the legal heirs, namely the respondents 2 to 4 herein, withdraws the same.

4. In view of the death of the employee, no effective orders can be passed in the present writ petition, challenging the Award of the Labour Court.

5. In the light of the submission made by the learned counsel for the petitioner/Corporation, the respondents 2 to 4 are granted liberty to file an appropriate application before the Labour Court, Cuddalore, seeking for withdrawal of the amount deposited and on receipt of such an application, the Presiding Officer, Labour Court, Cuddalore shall endeavour to pass appropriate orders, atleast within a period of one (1) week from the date of receipt of such an application. In case the legal heirs are of the view that the amount deposited does not cover the entire back wages, they are at liberty to make a representation seeking for disbursal of the remaining amounts.

6. With the above observation and direction, the Writ Petition stands closed. No closed.

SD/-

ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

hvk

To

1.The General Manager,
Tamilnadu State Transport Corporation,
(Kumbakonam Div.I) Ltd.,
Kumbakonam.

2.The Presiding Officer,
Labour Court, Cuddalore.

+1cc to Mr.D.Venkatachalam, Advocate Sr.11042

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srg 07/03/2022