



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Special Original Jurisdiction)

Wednesday, the Sixth day of April Two Thousand Twenty Two

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PRESENT

THE HON'BLE MR.JUSTICE V.PARTHIBAN

WMP.No.12405 of 2017

in WP.No.14397 of 2016

M.S.CHANDRASEKARAN

[PETITIONER]

Vs

1 THE MANAGEMENT,
STATE EXPRESS TRANSPORT CORPORATION,
PALLAVAN SALAI, CHENNAI-2.

[RESPONDENTS]

2 THE SPECIAL DEPUTY
COMMISSIONER OF LABOUR, TEYNAMPET,
CHENNAI.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to direct the Writ Petitioner to pay the Petitioner wages payable every month from the date of Writ Petition till the disposal of the Writ Petition or to reinstate the Petitioner(WMP.No.12405 of 2017)

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.R.KRISHNASWAMY, Advocate for the petitioner and of MR.K.KATHIRESAN, Advocate(SETC) for 1st Respondent, the court made the following order:-

This miscellaneous petition is filed under Section 17(b) of Industrial Dispute Act seeking payment of last drawn wages in lieu of reinstatement. Originally, the petitioner was dismissed from service and Approval Petition was filed before the Special Deputy Commissioner of Labour. However, the Authority refused to grant Approval on the ground that the dismissal order did not satisfy the requirement in law.

2. However, the Transport Corporation has not implemented the order and refused employment. Therefore, the present miscellaneous petition has been filed seeking payment of last drawn wages.

3. Due to paucity of time, the Writ petition cannot be taken up for final disposal, at the same time the worker cannot be left in lurch without any monetary compensation for his sustenance. Therefore, the present Writ miscellaneous petition stands ordered.



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4. The Transport Corporation is directed to pay last drawn wage to the petitioner before the date of dismissal from service and continue to pay the same every month from the date of Approval Petition, with arrears, till the disposal of the Writ Petition.

Post the main writ petition after vacation.

-sd/-

06/04/2022

/ TRUE COPY /

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

TO

1 THE MANAGEMENT,
STATE EXPRESS TRANSPORT CORPORATION,
PALLAVAN SALAI, CHENNAI-2.

2 THE SPECIAL DEPUTY COMMISSIONER OF LABOUR,
TEYNAMPET, CHENNAI.

C.C. to M/S.V.AJOY KHOSE, Advocate SR.NO.2629/2022

Order
in
WMP.No.12405 of 2017

in WP.No.14397 of 2016

Date :06/04/2022

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