



W.P.(MD).Nos.673 and 669 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.11.2022

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).Nos.673 and 669 of 2013

and

M.P.(MD).Nos.2 and 2 of 2013

and

M.P.(MD).Nos.1 and 1 of 2014

W.P.(MD).No.673 of 2013

The Management through the Managing Director,
Tamil Nadu State Transport Corporation,
(Madurai Division II),
Tirunelveli Limited,
No.19, Tiruvanandapuram Road,
Vannarapettai,
Tirunelveli – 3.

... Petitioner

Vs.

1.The Presiding Officer,
The Labour Court,
Tirunelveli.

2.P.Krishnammal

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records from the first respondent Labour Court, Tirunelveli relating to the award passed by it in I.D.No.55 of 2004 dated 09.06.2011 and quash the same.



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W.P.(MD).No.669 of 2013

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The Management through the Managing Director,
Tamil Nadu State Transport Corporation,
(Madurai Division II),
Tirunelveli Limited,
No.19, Tiruvanandapuram Road,
Vannarapettai,
Tirunelveli – 3.

... Petitioner

Vs.

1.The Presiding Officer,
The Labour Court,
Tirunelveli.

2.Asirvatham Cholera Lilly

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records from the first respondent Labour Court, Tirunelveli relating to the award passed by it in I.D.No.54 of 2004 dated 09.06.2011 and quash the same.

(In Both Writ Petitions):

For Petitioners : Mr.K.Sathiya Singh

For R-1 : Labour Court

For R-2 : M/s.D.Geetha



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COMMON ORDER

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The Writ Petitions have been filed for Writ of Certiorari to quash the impugned orders dated 09.06.2011.

2. The learned counsel appearing for the petitioner's Management submitted that similar cases were filed by the Management against the award of the Labour Court. All those petitions were referred before Lok Adalat and the private respondents were taken into service as fresh entrant. However, these two Writ Petitions were not referred before Lok Adalat for the reason that the second respondents in both the Writ Petitions had attained superannuation in the year 2015 itself. Since the private respondents have attained superannuation, there is no question of reinstatement.

3. Therefore this Court is of the considered opinion that if the petitioner's Management is directed to pay Rs.50,000/- (Rupees Fifty Thousand only) to each of the respondent-employee that would meet the ends of justice. Hence the petitioner-management is directed to pay Rs.50,000/- (Rupees Fifty Thousand only) to each of the respondent-employee within a period of eight (8) weeks from the date of receipt of a copy of this order.



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4. With the above direction, the Writ Petitions are disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

02.11.2022

Index : Yes / No
Internet : Yes/ No
Nsr

To

The Presiding Officer,
The Labour Court,
Tirunelveli.



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S.SRIMATHY, J.

Nsr

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