



W.P.(MD)Nos.14017 & 14018 of 2014

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)Nos.14017 & 14018 of 2014
and M.P.(MD)Nos. 1 & 1 of 2014

The Management,
Thiruvalliankudi Panchayat Board President,
Thiruvalliankudi Panchayat,
No.51, Sathanoor, Palakudi Post,
Thiruppananthal Taluk,
Thanjavur District – 612 102

... Petitioner in Both the
Writ Petitions

VS.

1. The Presiding Officer,
Labour Court, Cuddalore.
2. The Block Development Officer,
Thiruppananthal Panchayat Union,
Thiruppananthal Taluk, Thanjavur District.

3. Jegannathan

... Respondents in
W.P(MD)No.14017 of 2014

1. The Presiding Officer,
Labour Court, Cuddalore.
2. The Block Development Officer,
Thiruppananthal Panchayat Union,
Thiruppananthal Taluk,
Thanjavur District.



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3. T.Chellappan

W.P.(MD)Nos.14017 & 14018 of 2014

... Respondents in
W.P(MD)No.14018 of 2014

COMMON PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of *Certiorari*, call for the records of the 1st respondent relating to the award in I.D.Nos.275 & 273 of 2007 dated 23.01.2014 and quash the same.

In both Writ Petitions:

For Petitioner	: No Appearance
R-1	: Labour Court

COMMON ORDER

These Writ Petitions have been filed by the Petitioner Management/ Thiruvalliankudi Panchayat Board, challenging the impugned award passed by the Labour Court in I.D.Nos.275 & 273 of 2007 dated 23.01.2014.

2. The Labour Court has set aside the dismissal order and directed the Petitioner Management to reinstate the 3rd respondent in both the Writ Petitions with continuity of Service and back wages and also granted other benefits. Aggrieved over the same, these Writ Petitions have been filed.



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3. The facts revealed from the records that the Labour Court has granted continuity of service and also granted back wages. However, the Labour Court has not considered the fact that the 3rd respondent in both the Writ Petitions had not worked for the disputed period and they are not entitled to any back wages, “under no work no pay” principle .

4. Accordingly, the 3rd respondent in both the Writ Petitions are not entitled to any back wages. The remaining portion of the award passed by the Labour Court in I.D.Nos.275 & 273 of 2007 dated 23.01.2014, are confirmed.

5. With the aforesaid modifications, these Writ Petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No

14.11.2022

Internet : Yes

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To
The Presiding Officer,
Labour Court,
Cuddalore.



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S.SRIMATHY, J

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Common Order made in
W.P.(MD)Nos.14017 &
14018 of 2014

14.11.2022