



W.P.No.25070 of 2003

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.01.2023

CORAM :

THE HON'BLE Mrs.Justice **J.NISHA BANU**

W.P.No.25070 of 2003

Union of India rep. by
The General Manager,
Southern Railways,
Park Town
Chennai - 600 003.

.. Petitioner

Vs

1. The Presiding Officer,
Central Government Labour Court,
Chennai.

2. Padmavathy

3. Gori

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution to issue a
Writ of Certiorari to call for the records of the impugned order in



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CP.No.82/91 dated 27.06.2002 from the files of the Hon'ble Central Government Labour Court, Chennai and quash the same.

For Petitioner : Mrs.T.P.Savitha
For Respondents : R1- Court
No appearance for R2

ORDER

This writ petition has been filed challenging the order of the 1st respondent/Labour Court dated 27.06.2002, granting computation of certain monetary benefits due to the 2nd respondent.

2. The writ petition is of the year 2003. At the time of admission, interim stay was granted in W.P.M.P.No.30837 of 2003 and subsequently, vacate petition was filed by the 2nd respondent/wife of the workman in W.V.M.P.No.1231 of 2004. On 28.01.2005, interim stay granted was made absolute and the vacate stay petition filed by the 2nd respondent was dismissed. Thereafter, there was no appearance for the respondents. Subsequently, on 11.03.2020, though private notice to the respondents was permitted on 11.03.2020, till date no proof has been filed by the petitioner.



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3. It is also seen from the records that the 2nd respondent had already filed C.C.P.No.7/1984 before the Labour Court and subsequently, by order dated 15.07.1991, the same was allowed computing the amount at Rs.25,200/-. Though it is stated that an appeal was filed by the Railway authority against the said order, the Labour Court has given a finding that no documentary evidence was placed before it to substantiate the same. It is also seen that the one Marimuthu and Palani who worked along with the deceased workman were paid pension and the same was also not denied by R.W.1 during cross examination. Thus, the Labour had commuted the value of the benefits due to the petitioner at Rs.85,470/-, with which, this Court finds no infirmity or illegality to interfere with.

4. Under such circumstances, this Court is not inclined to entertain this writ petition. Accordingly, the Writ Petition stands dismissed. No costs.

06 .01.2023

Index :Yes/No
Speaking/Non-speaking order
vsi



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vsi

To

The Presiding Officer,
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