



WEB COPY



W.M.P.No.3476 of 2021 in
W.P.No.18896 of 2019

W.M.P.No.3476 of 2021
in
W.P.No.18868 of 2019

M.S.RAMESH,J.

The petitioner herein / work woman was relieved from her service by the Management through its order dated 02.01.2017 with effect from 31.12.2016. Against the order of dismissal, the petitioner had filed an application before the Labour Court, Chennai in I.D.No.82 of 2018 under Section 2 A(2) of the Industrial Disputes Act, 1947 [hereinafter referred to as "the Act"] and on 23.05.2016, the learned First Additional Judge, Labour Court, Chennai passed the award to reinstate her with 30% of back wages with continuity of service. On the strength of the award passed by the Labour Court, the present Miscellaneous Petition has been filed, seeking for the last drawn wages under Section 17B of the Act.

2. In the affidavit filed in support of this Petition, the work woman has stated that, after the order of dismissal, she is not gainfully employed in any manner.

3. Till date no counter affidavit has been filed by the Management. Hence, this Court is of the view that the claim made by



W.M.P.No.3476 of 2021 in
W.P.No.18896 of 2019

the petitioner herein / work woman that she is not gainfully employed, requires to be accepted and accordingly, she is entitled for the last drawn wages from the date on which the present Writ Petition was filed.

4. In the light of the above observations, there shall be a direction to the Management to forthwith disburse the entire arrears of the petitioner's last drawn wages under Section 17B of the Act, from the date of filing of the present Writ Petition, i.e. from 26.06.2019, within a period of two weeks from the date of receipt of a copy of this order. The Management shall further continue to pay the last drawn wages till the final disposal of the Writ Petition.

5. Accordingly, the Writ Miscellaneous Petition stands allowed.

6. Registry is directed to list the Writ Petition 'for final disposal' on 07.06.2023.

29.03.2023

DP



WEB COPY



W.M.P.No.3476 of 2021 in
W.P.No.18896 of 2019

M.S.RAMESH. J,

DP

W.M.P.No.3476 of 2021
in
W.P.No.18868 of 2019

29.03.2023