



WEB COPY



W.P. No. 18992 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2023

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

W.P. No. 18992 of 2016

and

W.M.P. Nos.16553 of 2016 and 17568 of 2017

The Management,
Rep. by its General Manager,
The Tamil Nadu State Transport Corporation (III) Limited,
Kanchipuram - 631 501. ... Petitioner

-VS-

1. The Presiding Officer,
II Additional Labour Court,
Chennai.

2. C.Nagamani ... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorari, calling for the records of the order passed by the first respondent in Claim Petition No. 404 of 2014 dated 09.10.2015 and to quash the same.

For Petitioner : Mr. M.Aswin

For R1 : Court

For R2 : Mr.S.Ravi



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ORDER

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2. It is the case of the petitioner that the second respondent filed a claim petition before the Labour Court against the petitioner Management claiming a sum of Rs.7,92,158.33/-. The Labour Court vide its order dated 09.10.2015, directed the petitioner Management to pay such amount to the second respondent. Aggrieved over the same, the present writ petition has been filed.

3. The learned counsel for the petitioner submitted that based on the wrong calculation, an ex-parte award was passed in favour of the second respondent, which is not sustainable one. In fact, the petitioner Management calculated the due payable to the second respondent for a sum of Rs.2,40,066/- and the same will be paid to the second respondent.

4. The learned counsel for the second respondent have not raised any objection to receive the amount of Rs.2,40,066/-. To that effect, this Court may modify the award passed by this Labour Court.



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5. In view of the fair submission made by the learned counsel on either side, this Court directs the petitioner Management to pay a sum of Rs.2,40,066/- (Rupees Two Lakhs Forty thousand and sixty six only) with 4% interest from December 2008 to till the date of payment, to the second respondent, as full quit, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition is disposed of. Consequently, the connected Miscellaneous Petitions are closed. No costs.

19.07.2023

Rli

Index: Yes/No

NCS : Yes/No

To

The Presiding Officer,
II Additional Labour Court,
Chennai.



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M.DHANDAPANI, J.

Rli

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