



W.M.P.No.18848 of 2021
in
W.P.No.8757 of 2017

W.M.P.No.18848 of 2021 in W.P.No.8757 of 2017

M.S.RAMESH, J.

The petitioner was dismissed from service on 13.02.1999 which came to be challenged by him before the Labour Court, Salem, in I.D.No. 377 of 2000. By an award dated 06.02.2016 the Court has directed the first respondent to reinstate the petitioner in service with backwages.

2. The writ petition has been filed challenging the order dated 06.02.2016, passed in I.D. No. 377 of 2000. Pending writ petition, the present miscellaneous petition has been filed by the 2nd respondent seeking to direct the petitioner-management to comply with the provisions of Section 17(B) of the Industrial Disputes Act.

3. In the affidavit filed in support of this petition, the petitioner has stated that he is not gainfully employed after the award was passed. To such statement made, the Management has not filed any counter



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contraverting the same. Since the provision entails the petitioner to receive the last drawn wages, on the strength of the award for reinstatement and taking into account that the Management has not countered his claim that he has been gainfully employed after the award was passed, the petitioner herein is entitled for the last drawn wages, from the date of filing of the writ petition, (i.e.) from 06.04.2017, till the date of his superannuation (i.e.) 30.04.2018.

4. In the light of the above observations, there shall be a direction to the Management to forthwith disburse the entire arrears of the last drawn wages of the petitioner from 06.04.2017, till the date of his superannuation i.e. on 30.04.2018. Such disbursement of the arrears of the last drawn wages shall be made preferably, within a period of two weeks, from the date of receipt of a copy of this order. This Petition is ordered accordingly.



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5. Post the main writ petition for final disposal on 13.03.2023 as well
as for recording the compliance of this order.

01.02.2023

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