



W.P.No.22490 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.06.2023

CORAM:

THE HONOURABLE Mr.JUSTICE V.LAKSHMINARAYANAN

W.P.No.22490 of 2014

N.Venkatesan

...Petitioner.

Vs.

1.The Presiding Officer,
Addl.Labour Court, Vellore,
Vellore District.

2.The General Manager,
Tamil Nadu State Transport,
Corporation (Villupuram) Ltd.,
Vellore Division – II,
Rangapuram, Vellore – 600 009.

...Respondents.

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue writ of mandamus, directing the 2nd respondent to pay the petitioner correct and appropriate current wages on par with his colleagues and immediate juniors by granting him annual and other increments, revision of pay, review, etc. from the date of his dismissal to the date of his reinstatement and also to pay him the difference in 25 % backwages from the date of



W.P.No.22490 of 2014

dismissal to the date of reinstatement and difference in wages from the date of reinstatement, with all consequential benefits and also pay the petitioner terminal benefits based on such revised pay and interest at the rate of 9 % per annum.

For Petitioner : Ms.V.Porkodi
for M/s.R.Krishnaswamy
For Respondents :
For R1 : Court
For R2 : Mrs.S.Pavithra

ORDER

This petitioner seeks for writ of mandamus to direct the management to pay the petitioner/workman the correct and appropriate current wages on par with his colleagues and his immediate juniors by granting him annual and other increments, revision of pay from the date of dismissal to the date of reinstatement.

2. The petitioner/workman also seeks to prove the difference of 25% backwages from the date of dismissal to the date of reinstatement and the difference in wages from the date of reinstatement with all consequential benefits together with the interest @ 9 % per annum. The petitioner/workman



W.P.No.22490 of 2014

cannot maintain a writ petition directly. There is a remedy under the Industrial Disputes Act, 1947 under Section 33 (C) (2). I have enhanced the back wages from 25 % to 100 % in W.P.No.22489 of 2014. All these will require calculation which need not be done in a proceedings under Article 226 of the Constitution of India. Therefore, reserving the right of the petitioner to approach the Labour Court in exercise of its powers under Section 33 (C) (2), this writ petition stands dismissed. No Costs.

16.06.2023
(2/2)

nst

Index : Yes/No
Speaking : Yes/No
Neutral Citation Case : Yes/No
To:

- 1.The Presiding Officer,
Addl.Labour Court, Vellore,
Vellore District.
- 2.The General Manager,
Tamil Nadu State Transport,
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Rangapuram, Vellore – 600 009.



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W.P.No.22490 of 2014

V.LAKSHMINARAYANAN,J
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W.P.No.22490 of 2014

16.06.2023



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W.P.No.22490 of 2014

(2/2)