



W.P.No.8823 of 2021

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2023

CORAM

THE HONOURABLE MRS. JUSTICE **R. HEMALATHA**

W.P.No.8823 of 2021

C.Natarajan (Deceased)

1.E.Thilagavathy

2.N.Neeraja (Minor)

3.N.Jaleshraj (Minor)

4.Kannammal

... Petitioners

Vs.

1.Management

Tamil Nadu State Transport Corporation

(Villupuram) Ltd.,

Kanchipuram Region,

Ponnerikarai, Kanchipuram,

Kanchipuram District.

2.Special Deputy Commissioner of Labour,

Teyanmpet, Chennai - 6.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to pay the backwages with continuity of service and to settle terminal benefits to the petitioners within a time frame.



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For Petitioners : Mr.N.Sundaramurthy
For R1 : Mr.M.Aswin
For R2 : Ms.P.Vijayadevi, GA

ORDER

The writ petitioners are the legal heirs of the deceased C.Natarajan, who was employed as a Conductor in the first respondent Corporation. Since he unauthorisedly absented himself he was issued a charge memo and after conducting a departmental enquiry he was dismissed from service with effect from 29.04.2014. The first respondent Corporation thereafter filed an Approval Petition under Section 33(2)(b) of the Industrial Disputes Act in A.P.No.117/2014 before the second respondent. The said petition was dismissed on 09.05.2017 and thereafter, the legal heirs of the deceased petitioner filed the present writ petition to settle the backwages and other terminal benefits to them.

2. The writ petition in W.P.No.21653/2023 filed by the Management Tamil Nadu State Transport Corporation (Villupuram) Limited challenging the orders dated 09.05.2017 in A.P.No.117/2014



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passed by the second respondent was dismissed by a Single Judge of this Court vide orders dated 24.07.2023. Moreover, it was observed in the orders that the petitioner Management should settle the entire terminal benefits to the legal heirs of the deceased C.Natarajan within a period of four weeks. Despite this, the first respondent Management has not paid any amount to the present writ petitioners.

3. Mr.M.Aswin, learned counsel for the first respondent Management would contend that they would take immediate steps to settle the entire dues to the writ petitioners.

4. In the circumstances, the writ petition is allowed. The first respondent Management is directed to pay the entire dues to the writ petitioners within a period of four weeks from the date of receipt of a copy of this order. No costs.

28.11.2023

Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
mtl



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