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W.A.No.393/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 07-03-2023

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

AND

THE HONOURABLE MRS.JUSTICE R.KALAIMATHI

W.A.No.393 of 2023

The Management,
Tamil Nadu State Transport Corporation,
(Villupuram) Ltd.,
Villupuram – 605 602.

...

Appellant

-VS-

1.The Presiding Officer,
Labour Court,
Cuddalore.

2.Thiru V.Venkatesan

...

Respondents

Appeal is filed under under Clause 15 of the Letters Patent against the order, dated 01.04.2022, passed in W.P.No.2038 of 2012, on the file of this Court.

For Appellant : Mr.M.Aswin

For Respondent 2 : Mr.R.Muralidharan



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JUDGMENT

The appellant-management and the second respondent-employee have filed an Affidavit, dated 25.02.2023, and a Memo, dated 18.02.2023, respectively. Though the second respondent-employee has initially pleaded that interest should be paid on the amount due to be paid to him by the appellant-management, he appeared before this Court today through video conferencing and submitted that he would not insist on the interest payable, provided the appellant-management agrees to stick on to the time limit prescribed in Paragraph No.7 of its Affidavit, dated 25.02.2023. Paragraph No.7 of the Affidavit of the appellant, sworn to by its General Manager, reads as under :

"7. I further state that to put an end to the issue, our Management have decided to provide 50% back wages to the 2nd respondent herein after deducting the 17B wages already paid to the 2nd respondent and ready to settle the entire eligible terminal benefits within 6 months."

2. Taking note of the fact that the parties have entered into a settlement and that interest need not be paid as demanded by the employee earlier, provided the entire terminal benefits, as agreed to by the appellant management, are extended to the second respondent-employee within a period of six months from the date of receipt or production of a copy of this order, this Writ Appeal is disposed of. If the amount is not paid as above, it would fetch interest at 6% per annum from today. No costs. Consequently, the connected C.M.P.No.3760 of 2023 is closed.



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3. The appellant-management is to remit their share of Provident Fund contribution with Trust within the time stipulated supra without interest and the second respondent-employee's share shall be adjusted from the 50% back wages, to be paid to the employee, in terms of Paragraph No.7 of the Affidavit of the appellant-management, as above.

Index : Yes/No
Internet : Yes/No
Speaking / Non-speaking Order
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(S.V.N.,J.) (R.K.M.,J.)
07-03-2023

To

The Presiding Officer,
Labour Court,
Cuddalore.



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S.VAIDYANATHAN,J.
AND
R.KALAIMATHI,J.

dixit

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