



WEB COPY



W.A. Nos.3279, 3281 to 3285, 3287, 3288 & 3290 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2023

CORAM

THE HON'BLE MR. JUSTICE S. VAIDYANATHAN

AND

THE HON'BLE MR. JUSTICE K. RAJASEKAR

W.A. Nos. 3279, 3281 to 3285, 3287, 3288 & 3290 of 2023

&

C.M.P. Nos. 26744, 26746, 26748, 26749, 26751, 26752, 26754, 26756,
26758, 26759, 26760, 26764, 26765, 26766, 26767, 26768, 26782 & 26783
of 2023

W.A. No. 3279 of 2023

1. The Managing Director,
Tamil Nadu Water Supply and
Drainage Board,
No.31, Kamarajar Salai,
Chennai – 600 005.
2. The Executive Engineer,
Tamil Nadu Water Supply and
Drainage Board,
Rural Water Supply Division,
(The 2nd petitioner already addressed
as office of the Executive Urban
Project Division, Kangayam has been
closed and records were handed over to
TWAD Board RWS Division, Erode is
the present. (Address of the 2nd petitioner)



W.A. Nos.3279, 3281 to 3285, 3287, 3288 & 3290 of 2023

No.10, G.L. Bungalow, Muthusamy Street,
Sathi Salai, Erode – 638 001.

WEB COPY

3. The Executive Engineer,
Tamil Nadu Water Supply and Drainage
Board, Maintenance Division,
Muthiah Complex, 3rd Floor, 1171,
Mettur Road, Erode – 638 011.
4. The Assistant Executive Engineer,
Tamil Nadu Water Supply and Drainage
Board, Maintenance Sub Division,
Karumayal Extension -3,
Gobichettipalayam – 638 456. ..Appellants

Vs.

1. The Presiding Officer,
Labour Court, Salem.
2. K.K. Palanisamy ..Respondents

Prayer: Writ Appeal as against the order dated 27.07.2023 passed in

W.P. No. 34682 of 2014.

For Appellants	::	Mr.S. Ravindran, Senior Counsel for Mr.S. Mekhala
For Respondents	::	Mr. M.Muthupandian for R2

COMMON JUDGMENT

(Delivered by S. Vaidyanathan,J.)

The present intra court appeals have been filed by the Tamil Nadu
Water Supply and Drainage Board as against the order of the learned Single



W.A. Nos.3279, 3281 to 3285, 3287, 3288 & 3290 of 2023

Judge dated 27.07.2023 passed in W.P. Nos.34682, 34684, 34678, 34675, 34679, 34674, 34681, 34676 & 34680 of 2014 respectively insofar as it was held that the workmen therein were entitled to payment of wages under Section 17B of Industrial Disputes Act, 1947 (“I.D. Act”, in short) from the date of the award till the date of disposal of the writ petitions and the appellant Board was directed to withdraw the deposit made by them before the Labour Court pursuant to the interim orders passed in the writ petitions after deducting the wages under Section 17B of I.D. Act, 1947 payable by the appellant Board to the workmen and permitted the workmen to withdraw the same.

2. Earlier, this Court, in a batch of six writ appeals in W.A. Nos. 3138 & 3160 to 3164 of 2023, filed by the appellant Board, involving a similar issue, by judgment dated 15.11.2023, disposed of the writ appeals, fixing the monetary benefits payable under Section 17B of Industrial Disputes Act, 1947 at Rs.50,000/- not only to those employees concerned in the said writ appeals, but to each of the workman concerned in the respective industrial dispute, before the Labour Court, Salem and the relevant portion of the said judgment is extracted hereunder:

“*However, taking into account the totality of*



W.A. Nos.3279, 3281 to 3285, 3287, 3288 & 3290 of 2023

circumstances, that the finding of the Labour Court has been held to be perverse by the learned Single Judge, that no relief has been granted and that so many employees are before this Court, we are of the view that in order to give a quietus to the matter, when the factum of employment is not in dispute, it is suffice that the monetary benefits payable to the employees in these writ appeals under Section 17B of I.D. Act, 1947, which cannot be less than minimum wages, is fixed at Rs.50,000/- insofar as each workman is concerned.

9. *Mr.S. Ravindran, learned Senior Counsel for the appellants would submit that during the pendency of the writ petitions, a sum of Rs.37,500/- had already been deposited in respect of each workman concerned in the industrial dispute before the Labour Court. The Labour Court, on production of a copy of this order, is directed to release the amount with accrued interest to each of the workman, who will be identified by the learned counsel for the workmen without insisting for “No Objection” endorsement by the Board. The balance amount of Rs.12,500/- shall be released to each of the workman concerned in the industrial dispute within a period of one month from the date of receipt of a copy of this order. “*

3. From the above extracted portion of the order, it is seen that this Court had granted monetary benefits to all the workmen concerned in the respective industrial dispute before the Labour Court and hence, no



W.A. Nos.3279, 3281 to 3285, 3287, 3288 & 3290 of 2023

separate orders are necessary in these writ appeals as the direction given by this Court in W.A. Nos.3138 & 3160 to 3164 of 2023 would be applicable to the employees in these writ appeals as well . Hence, the writ appeals stand closed. No costs. Connected C.M.Ps are closed.

(S.V.N.J.) (K.R.S.J.)
22.11.2023

nv

To

1. The Managing Director,
Tamil Nadu Water Supply and
Drainage Board,
No.31, Kamarajar Salai,
Chennai – 600 005.
2. The Executive Engineer,
Tamil Nadu Water Supply and
Drainage Board,
Rural Water Supply Division,
(The 2nd petitioner already addressed
as office of the Executive Urban
Project Division, Kangayam has been
closed and records were handed over to
TWAD Board RWS Division, Erode is
the present. (Address of the 2nd petitioner)
No.10, G.L. Bungalow, Muthusamy Street,
Sathi Salai, Erode – 638 001.
3. The Executive Engineer,
Tamil Nadu Water Supply and Drainage
Board, Maintenance Division,
Muthiah Complex, 3rd Floor, 1171,
Mettur Road, Erode – 638 011.



WEB COPY



W.A. Nos.3279, 3281 to 3285, 3287, 3288 & 3290 of 2023

S. VAIDYANATHAN,J.

AND

K. RAJASEKAR,J.

nv

4. The Assistant Executive Engineer,
Tamil Nadu Water Supply and Drainage
Board, Maintenance Sub Division,
Karumayal Extension -3,
Gobichettipalayam – 638 456.

W.A. Nos.3279, 3281 to 3285,
3287, 3288 & 3290 of 2023

22.11.2023