



W.A.No.2701 of 2022

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.07.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

W.A.No.2701 of 2022

The Management of Kancheepuram
Central Co-operative Bank Ltd.
15, Sekupettai North Street
Kancheepuram 631 501.

.. Appellant

Vs.

V.Ganeshan

.. Respondent

Prayer: Appeal filed under Clause 15 of the Letters Patent against the order dated 18.11.2022 made in W.M.P.No.30326 of 2022 in W.P.No.30933 of 2022.

For the Appellant : Mrs.G.Thilakavathi
Senior Counsel
For Mr.D.Kanagasundaram

For the Respondent : Mr.A.S.Narasimhan



WEB COPY



W.A.No.2701 of 2022

JUDGMENT
(Delivered by the Hon'ble Chief Justice)

We have heard Mrs.G.Thilakavathi, learned Senior Counsel, assisted by Mr.D.Kanagasundaram, learned counsel for the appellant and Mr.A.S.Narasimhan, learned counsel for the respondent.

2. The writ appeal is directed against the order of the learned Single Judge granted interim stay of the impugned order passed by the Labour Court on depositing a sum of Rs.50 lakh by the appellant.

3. The matter is still sub judice before the learned Single Judge. As far as the pros and cons of the matter is concerned, the learned Single Judge is seized with the matter. The same would be considered by the learned Single Judge.

4. We are only considering the appeal to the limited extent of the direction given to the appellant to deposit Rs.50.00 lakh for the grant of interim relief.

Page 2 of 5



W.A.No.2701 of 2022

WEB COPY

5. According to learned Senior Counsel for the appellant, the entire dues with the respondent were settled. However, as the appellant could not appear before the learned Single Judge, the impugned order came to be passed.

6. Learned counsel for the respondent submits that as per the order passed by the Labour Court, the appellant was directed to pay a sum of Rs.17,29,539/- with interest at the rate of 12% per annum from 1975 till the date of recovery. The learned Single Judge has taken the liberal approach and directed the appellant to deposit only 50% of the award amount.

7. It appears that the order of the Labour Court is an ex parte one. The appellant has not filed any counter before the Labour Court.

8. Considering that the matter is sub judice before the learned Single Judge for consideration on merits and the nature of the



W.A.No.2701 of 2022

claim, so also the submissions made, we modify the order of the learned Single Judge directing the appellant to deposit Rs.50.00 lakh (Rupees fifty lakh only). Accordingly, we direct the appellant to pay Rs.18.00 lakh (Rupees eighteen lakh only) within a period of three weeks from today. If the appellant deposits a sum of Rs.18.00 lakh within three weeks, the stay granted by the learned Single Judge shall continue subject to the further orders that would be passed by the learned Single Judge.

9. With these directions, the appeal stands disposed of. There will be no order as to costs. Consequently, C.M.P.No.21955 of 2022 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

07.07.2023

Index : Yes/No

Neutral Citation : Yes/No

kpl



WEB COPY



W.A.No.2701 of 2022

THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESAVALU, J.

(kpl)

W.A.No.2701 of 2022

07.07.2023