



WMP(MD) No.14886 of 2023

WEB COPY

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)**

Friday, the Tenth day of November Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice R.VIJAYAKUMAR

WMP(MD) No.14886 of 2023

IN

WP(MD)No. 3130 of 2023

WMP(MD) No.14886 of 2023

THIYAGARAJAN .V

... PETITIONER/2nd RESPONDENT

Vs

**1 THE SPECIAL JOINT COMMISSION OF LABOUR,
O/O JOINT COMMISSIONER OF LABOR,
CHENNAI 6.**

...1st RESPONDENT/1st RESPONDENT

**2 THE MANAGEMENT
TAMIL NADU STATE TRANSPORT CORPORATION (KUMBAKONAM) LTD.,
REP. BY ITS GENERAL MANAGER,
TRICHY REGION,
TRICHY 620 001.**

... 2nd RESPONDENT/PETITIONER

Writ Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to direct the second respondent / petitioner management to pay the wage under section 17-B

<https://www.mhc.tn.gov.in/judis>



WMP(MD) No.14886 of 2023

of Industrial Dispute Act to the petitioner from the date of award to till date of disposal of the above Writ Petition and thus render justice.

WP(MD)No.3130 of 2023:

THE MANAGEMENT
TAMILNADU STATE TRANSPORT CORPORATION (KUM) LTD.,
THE STATE REP BY, BY ITS GENERAL MANAGAR,
TRICHY REGION,
TRICHY - 620 001. ...PETITIONER

-VS-

1 THE SPECIAL JOINT COMMISSION OF LABOUR,
O/O JOINT COMMISSIONER OF LABOR,
CHENNAI 6.

2 THIYAGARAJAN .V ...RESPONDENTS

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records with respect to the Impugned Order passed by the 1st respondent in A.P.No. 104/2019 dated 20.05.2022 and to quash the same as illegal, improper.

ORDER : These petitions coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.D.VENKATACHALAM, Advocate for the petitioner in WMP(MD)No. 14886 OF 2023 and for the 2nd Respondent in WP(MD)No. 3130 of 2023 and of MR.S.SHAJI BINO, Special Government Pleader for the 1st Respondent in both petitions and of MR.K.JAGADEESBALAN, Advocate for the 2nd Respondent in WMP(MD)No. 14886



WMP(MD) No.14886 of 2023

2023 and for the petitioner in WP(MD)No. 3130 OF 2023, the court made the following order:-

The Transport Corporation has filed the writ petition in W.P(MD) No.3130 of 2023, challenging the order passed by the first respondent herein, wherein the dismissal of the second respondent was not approved.

2. The petitioner herein/second respondent, who was working as a Conductor in the second respondent/petitioner Transport Corporation was removed from service on 01.07.2019. The second respondent Corporation sought approval from the first respondent herein under Section 33(2) (b) of the Industrial Dispute Act. By an order, dated 20.05.2022, the first respondent had rejected the request of the approval for dismissal. Challenging the same, the present writ petition has been filed by the Transport Corporation.

3. Pending writ petition, the petitioner herein/second respondent in the writ petition namely, the Conductor had filed W.M.P(MD) No.14886 of 2023 seeking a direction as against the Management to pay wages under Section 17-B the Industrial Dispute Act to the petitioner herein/second respondent from the date of award till the date of disposal of the writ petition.



WMP(MD) No.14886 of 2023

WEB COPY

4. Considering the above said facts, this Court issues a direction to the Transport Corporation to pay 17-B wages to the petitioner herein/ second respondent from 01.06.2022 and continue to pay the same every month till the disposal of the writ petition.

5. Accordingly, this Writ Miscellaneous Petition stands allowed, to the extent as stated above.

sd/-
10/11/2023
/ TRUE COPY /

/11/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

EBSI

TO

1 THE SPECIAL JOINT COMMISSION OF LABOUR,
O/O JOINT COMMISSIONER OF LABOR,
CHENNAI 6.



WMP(MD) No.14886 of 2023

WEB COPY

2 THE MANAGEMENT

TAMIL NADU STATE TRANSPORT CORPORATION (KUMBAKONAM) LTD.,
REP. BY ITS GENERAL MANAGER,
TRICHY REGION,
TRICHY 620 001

+1. CC to MR.D.VENKATACHALAM Advocate SR.No.51342(F)

+1. CC to MR.K.JAGADEESBALAN, Advocate SR.No.51314(F)

ORDER

IN

WMP(MD) No.14886 of 2023

IN

WP(MD)No. 3130 of 2023

Date :10/11/2023

PKP/VRS/SAR- /24.11.2023/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
copies in this format from 17/07/2023