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W.P.No.10255 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2024

CORAM:

THE HONOURABLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.10255 of 2014
and M.P.No.2 of 2014

Chief Mechanical Engineer
Chennai Port Trust
Rajaji Salai
Chennai 600 001.

... Petitioner

Vs.

1.P.Krishnamoorthy

2.The Presiding Officer
First Additional Labour Court
Chennai.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records in the award dated 30.10.2012 made in C.P.No.13 of 2008 on the file of the I Additional Labour Court, Chennai and quash the same.



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For Petitioner : Ms.E.Jayaranchana
for Mr.Krishna Ravindran

For Respondents : R1- Labour Court
R2- No appearance

ORDER

This Writ Petition is filed challenging the order of the I Additional Labour Court, Chennai, dated 30.10.2012 made in CP.No.13 of 2008.

2. Heard the learned counsel for the petitioner.

3. It is seen from the award of the Labour Court as well as the claim petition that the Workman was originally discharged from service on 01.07.1997 and thereafter he was reinstated into service, after the award of the Labour Court in ID.No.813 of 1999. Therefore, claiming the back wages for the period from 01.07.1997 to 09.07.2007, the present Computation Petition is filed. Since the same is based on the award of the Labour Court,



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this Computation Petition was allowed.

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4. Today, by a separate order made in WP.No.24863 of 2007, this Court had set aside the said award passed in the industrial dispute in as much as awarding of back wages for the said period is concerned. Therefore, consequentially, this order passed by the I Additional Labour Court, Chennai, in Computation Petition in C.P.No.13 of 2008 cannot be sustained. The amount which is deposited pursuant to the interim order made by this Court along with accrued interest can be withdrawn by the petitioner Management.

5. Accordingly, this Writ Petition stands allowed. The order of the I Additional Labour Court, Chennai dated 30.10.2012 made in CP.No.13 of 2008 shall stand set aside. No costs. Consequently, connected Miscellaneous Petition is closed.

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Neutral Citation : Yes / No
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To

The Presiding Officer
First Additional Labour Court
Chennai.



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D.BHARATHA CHAKRAVARTHY, J.
dna

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