



W.A.No.3143 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH
AND
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.A.No.3143 of 2024
and C.M.P.No.24120 of 2024

The General Manager,
Tamil Nadu State Transport
Corporation (Kovai) Limited,
Erode Region,
Chennimalai Road,
Erode-1.

... Appellant

Vs.

1.M.Velumani

2.The Special Joint Commissioner of Labour,
DMS Complex, Chennai.

... Respondents

PRAYER: Appeal is filed under Clause 15 of the Letters Patent, praying to set aside the order dated 28.03.2024 passed by the Hon'ble Judge in W.M.P.No.27371 of 2022 in W.P.No.15364 of 2022.

For Appellant

: Mr.M.Murali Vinodh

For Respondents

: Mr.S.John J.Raja Singh
Additional Government Pleader for
R1



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JUDGEMENT

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(Judgement of this Court was delivered by M.S.RAMESH.J)

The present appeal is assailed against an interim order of a learned Single Judge of this Court passed in W.M.P.No.27371 of 2022 in W.P.No.15364 of 2022, directing the appellant to pay the last drawn wages under Section 17(b) of the Industrial Disputes Act, 1947.

2. The learned Counsel for the appellant would submit that after the order was passed, the appellant is complying with the order and the first respondent herein is receiving the 17(b) wages. He further submitted that he reliably understood that the first respondent herein is in gainful employment and therefore seeks time to produce the documents to substantiate the same.

3. We are of the view that since the appellant had already complied with the order of the learned Single Judge. In case they are in possession of certain evidences to substantiate that the first respondent in gainful employment, it would be always open to them to file appropriate application before the learned Single Judge, seeking to recall the order. As such, the present appeal



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may not be kept pending.
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4. In this background, the Writ Appeal stands closed with liberty to the appellant to file appropriate application before the learned Single Judge seeking for recalling the order, if they are possessed with sufficient materials to substantiate the gainful employment of the first respondent. No Costs. Consequently, connected miscellaneous petition is closed.

[M.S.R., J] [M.J.R.,J]

29.10.2024

Index: Yes/No
Internet: Yes/No
Neutral Citation: Yes/No
Anu

To

The Special Joint Commissioner of Labour,
DMS Complex, Chennai.

M.S.RAMESH, J.



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