



WEB COPY



W.P.No.32367 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2024

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.32367 of 2024
and W.M.P.No.35150 of 2024

The Management of Metropolitan
Transport Corporation (Chennai) Ltd.,
Pallavan House, Anna Salai,
Chennai - 600 002. .. Petitioner

Versus

1. The Special Joint Commissioner of Labour,
DMS Complex, Teynampet,
Chennai - 600 006.
2. E.Veeraraghavan .. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Certiorari to call for the records relating to the order passed in Approval Petition No.112 of 2022, dated 13.12.2023, passed by the 2nd respondent herein, quash the same.

For Petitioner : Mr.Gauthama Raj.C

ORDER



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This Writ Petition is filed as against the order refusing to give approval with reference to the punishment imposed on the respondent workman.

2. Today, when the matter is taken up for hearing, the learned Counsel for the petitioner management would submit that in view of the fact that the workman has given an undertaking that he will rejoin the duty without insisting for the back-wages, the management is also willing to reinstate the petitioner without back-wages.

3. In view thereof, recording the fact that even though the Approval Petition is dismissed, the workman has given up his right for back-wages and is willing to be reinstated without back-wages and the fact that the management will reinstate him within one week from the date of receipt of a copy of this order, this Writ Petition is disposed of on the following terms:-

(i) The order passed by the first respondent, dated 13.12.2023 made in A.P.No.112 of 2022 is upheld inasmuch as it refuses the approval;

(ii) The petitioner Corporation shall reinstate the respondent workman within a period of one week from the date of receipt of a copy of this order



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and the workman will be entitled to continue in his duty with continuity of service and all other service benefits;

(iii) However, the workman will not be entitled for back-wages alone.

The workman will be entitled for wages from the date of his reinstatement if he is reinstated within a period of one week or if his reinstatement is delayed, he will be entitled for wages from today;

(iv) There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

10.12.2024

Neutral Citation : no
grs

To

The Special Joint Commissioner of Labour,
DMS Complex, Teynampet,
Chennai - 600 006.



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D.BHARATHA CHAKRAVARTHY, J.

grs

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