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WMP. 39487 of 2024 in WP. 33160



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-12-2024

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THE HONOURABLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

WMP. 39487 of 2024 in WP. 33160 of 2024

V.ARUMUGAM
S/O.VEDI, N. METTUR VILLAGE AND POST,
KAVERIPATTINAM VIA, KRISHNAGIRI DISTRICT.

... Petitioner

Vs.

THE MANAGEMENT VILANGAMUDI
PRIMARY AGRICULTURAL CO- OPERATIVE CREDIT SOCIETY LTD., REP
BY ITS ADMINISTRTOR, VILANGAMUDI, POOCHAMPALLI TALUK,
KRISHNAGIRI DISTRICT.

... Respondent

Prayer:

Writ Miscellaneous Petition is filed to direct the petitioner / respondent to pay the last drawn wages under section 17B of the Industrial Dispute Act, 1947 from 29.04.2022 to till reinstatement and continue to pay the wages every month till the disposal of the writ petition.

For the Petitioner	:	Mr.L.P.Shanmugasundaram
For the Respondent	:	Ms.B.A.Nalini for Mr.M.S.Palaniswamy



ORDER

The Workman has filed this miscellaneous petition directing the respondent to pay the last drawn wages as per Section 17 B of the Industrial Disputes Act, 1947.

2. It can be seen that the main Writ Petition was filed challenging the award of the Labour Court dated 29.04.2022 made in I.D.No.8 of 2016. By the said award, the order of termination dated 21.08.2015 was set aside and the Workman was ordered to be reinstated with continuity of service and back wages.

3. Secondly, it can be seen from the affidavit filed in support of the miscellaneous petition that, as stated in paragraph No. 7 of the affidavit, the workman is not gainfully employed elsewhere. The said statement could not be refuted by the learned counsel for the Management.

4. The learned counsel for the Management would submit that this is a case where the petitioner is alleged to have committed an offence of misappropriation.

5. Be that as it may, the wages under Section 17 B of the Industrial Disputes Act, 1947 is required to be paid. The Management is directed to pay the last drawn wages from the month of December 2024 onwards.



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6. Accordingly, this Writ Miscellaneous Petition is ordered.

(DBCJ)
18-12-2024

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D.BHARATHA CHAKRAVARTHY, J.,

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