



WP(MD)No.12725 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

WP(MD)No.12725 of 2017
and
WMP(MD)No.9838 of 2017

S.Ponnappan

: Petitioner

Vs.

1.The Presiding Officer,
Labour Court,
Tirunelveli District.

2.The Branch Manager,
Tamil Nadu State Express Road Corporation,
Meenakshipuram,
Nagercoil.

3.The General Manager,
Administration,
Tamil Nadu State Express Road Corporation,
Chennai – 2.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India
seeking issuance of a Writ of Certiorari calling for the records relating to



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the order passed by the Labour Court, Tirunelveli, in CP.No.133 of 2016, dated 28.03.2017, quash the same insofar as imposing the condition to receive the benefits after the disposal of WP(MD)No.23951 of 2016 and the difference of wages and earned leave salary.

For Petitioner : No appearance

For Respondents : No appearance

ORDER

The petitioner has filed this writ petition as against the award passed by the Labour Court in CP.No.133 of 2016, dated 28.03.2017, insofar as imposing a condition to receive the benefits after the disposal of WP(MD)No.23951 of 2016.

2. When the writ petition came up for hearing on 09.08.2024, there was no representation for the petitioner and the matter was therefore directed to be listed on 13.08.2024 under the caption 'for dismissal'. On 13.08.2024, Mr.V.O.S.Kalaiselvam, learned Counsel appearing for the petitioner submitted that he has returned the papers to the petitioner and has no



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instructions. This Court directed Mr.V.O.S.Kalaiselvam to file a memo to that effect and adjourned the matter to 28.08.2024, in the same position.

This Court has also directed Mr.V.O.S.Kalaiselvam to inform the petitioner about the listing of the case, enabling the petitioner to engage another Counsel.

3.Today, when the writ petition came up for hearing, Mr.G.Xavier, learned Counsel, submitted that he has filed change of vakalath for the petitioner and requested for adjournment. Since this writ petition is pending from the year 2017 and that the matter is listed today under the caption 'for dismissal', this Court has not granted any further time and passed over the matter, enabling the Counsel to present the case. Thereafter, the matter was again taken up for hearing in the Afternoon Session, however, there is no representation for the petitioner.

4.There is no representation for the Transport Corporation / respondents 2 & 3, as well.



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5.This writ petition is filed as against the conditional order imposed by the Labour Court in CP.No.133 of 2016, dated 28.03.2017, insofar as the condition in disbursing the benefits after the disposal of WP(MD)No.23951 of 2016. It appears that the said writ petition in WP(MD)No.23951 of 2016 itself was already dismissed by this Court on 16.02.2018.

6.Therefore, nothing survives for further adjudication in this writ petition and the same is accordingly dismissed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

Internet : Yes
Index : Yes / No
NCC : Yes / No

28.08.2024

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B.PUGALENDHI, J.

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