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C.M.P.No.5640 of .



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

C.M.P.No.5640 of 2025

in

W.A.No.1342 of 2016

and C.M.P.No.943 of 2022

M/s.TNK Govindaraju Chetty & Co. Pvt Ltd.
Owner of Devi, Devi Paradise, Devi Bala &
Devi Kala Theatres, Rep. by K.N.Varadarajan,
Executive Director, T.N.K.House,
48, Anna Salai,
Chennai - 600 002.

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Petitioner

Vs.

- 1.B.Ganesan
- 2.R.P.Karthikeyan
- 3.M.Ramamurthy
- 4.S. Ramu
- 5.T.P.Rajendran
- 6.S.Sivakumar
- 7.P.Vijayakumar
- 8.A.Arjunan
- 9.E.Babu
- 10.T.G.Kuppusamy
- 11.S.Mohan
- 12.N.Parthasarathy
- 13.R.Rajagopal
- 14.V.Ramesh Babu
- 15.G.Ramesh Rao
- 16.S.Santhanaraj (died)
- 17.C.Sundaram
- 18.P.Dinakaran
- 19.S.Selvaraj



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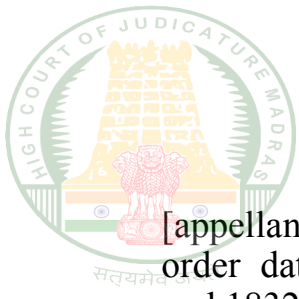
- 20.K.Srinivasan
21.E.Ganesan
22.V.Jayavel (died)
23.A.Kumaravelu
24.S.Masilamani
25.V.Muraligopal
26.K.Neelamohan
27.S.V.Ramki (died)
28.J.Fathima
29.K.Govindammal (died)
30.N.Indira
31.M.Maheswari
32.M.Nagammal
33.V.Ramalingam
34.P.Saradha
35.A.Velankanni
36.N.Venkataramana
37.S.Victoria
38.V.Karunakaran
39.S.Daisy
40.S.Charles Raj
41.S.Clinton Raj

[appellants 39 to 41 are impleaded as LR's of the deceased 16th appellant vide order dated 18.07.2024 made in CMP.Nos.3994,15397,18294,18302,18318 and 18321 of 2022 in W.A.No.1342 of 2016]

- 42.Krishnaveni
43.Kamatchi
44.Varalakshmi
45.Narendrakumar
46.Bhavani

[appellants 42 to 46 are impleaded as LR's of the deceased 22nd appellant vide order dated 18.07.2024 made in C.M.P.Nos.3994,15397,18294,18302,18318 and 18321 of 2022 in W.A.No.1342 of 2016]

- 47.R.Tamilselvi
48.Vennila
49.R.Mani



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[appellants 47 to 49 are impleaded as LR's of the deceased 27th appellant vide order dated 18.07.2024 made in C.M.P.Nos.3994,15397,18294,18302,18318 and 18321 of 2022 in W.A.No.1342 of 2016]

50.Dinakaran
51.Allirani
52.Haridoss
53.Mahalakshmi
54.Alamelu
55.Mageshwari

[appellants 50 to 55 are impleaded as LR's of the deceased 34th appellant vide order dated 18.07.2024 made in C.M.P.Nos.3994, 15397, 18294, 18302, 18318 and 18321 of 2022 in W.A.No.1342 of 2016]

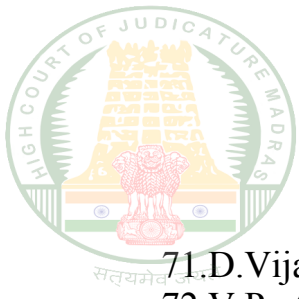
56.K.Radhakrishnan

[A29 (died) is substituted by the appellant 56 as LR's of the deceased 29th appellant vide order dated 18.07.2024 made in C.M.P.Nos.3994,15397,18294,18302,18318 and 18321 of 2022 in W.A.No.1342 of 2016]

57.S.Umameshwari
58.M.Sarala
59.A.Mohan

[A8 (died) is substituted by the appellants 57 to 59 as LR's of the deceased 8th appellant vide order dated 18.07.2024 made in C.M.P.Nos.3994,15397,18294,18302,18318 and 18321 of 2022 in W.A.No.1342 of 2016]

60.S.Kamal
61.A.L.Balasubramaniam
62.M.N.Dev Anand
63.Mohammed Jamaludhin
64.M.Arumugam
65.V.Kannan
66.G.Mohan
67.Mohammed Elias
68.S.Murali
H.Ravi (Deceased)
69.C.Susairaj
70.N.Varadhan



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71.D.Vijayakumar
72.V.Parthasarathy
73.S.K.Saravanan
74.A.Kripanandan
75.T.Nagarajan
76.S.Perumal
77.C.Satish
78.J.Charles
79.A.Elumalai
80.K.R.Parthiban
81.K.Rajkumar
82.V.Sivakumar
83.S.Suresh
84.K.Govindamma
85.C.Manjula
S.Kuyini (Deceased)
86.R.Sowri
87.R.Kalaiselvi
88.R.Surender
89.H.Damayanthi

[R69 to R71 substituted in place of deceased R26 as order dated 26.10.2015 in M.P.No.5 of 2015 in W.P.No.22249/2012]

90.N.Vasu
91.V.Jayapriya
92.V.Girija

[R72 to R74 substituted in place of deceased R61 as order dated 26.10.2015 in M.P.No.5 of 2015 in W.P.No.22249/2012]

93.The Presiding Officer,
II Additional Labour Court,
Chennai.

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Respondents

For Petitioner : Mr.R.Anand Kumar

For Respondents : Mr.S.P.Srinivasan - R1



ORDER

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(Order of the Court was made by **R.SUBRAMANIAN, J.**)

The petitioner / management has filed this petition seeking to withdraw a sum of Rs.2,50,000/- along with accrued interest, if any, lying to the credit of C.P.No.84 of 2009 on the file of the II Additional Labour Court.

2. The management was directed to deposit a sum of Rs.10,00,000/- as a condition for grant of stay pending writ petition. The workmen were allowed to withdraw a sum of Rs.7,50,000/- and the remaining sum of Rs.2,50,000/- was directed to be kept in the Fixed Deposit. Eventually, the writ petition came to be allowed by setting aside the award of the Labour court. The aggrieved workmen had preferred writ appeal and this Court, by order dated 19.09.2024, dismissed the writ appeal.

3. It is stated that the first appellant alone has filed a review petition and the same is pending. Once the award has been set aside by this court and the appeal that has been preferred as against the said order in W.A.No.1342 of 2016 has also been dismissed by this Court. We do not see any reason to retain a sum of Rs.2,50,000/- which has been deposited by the management pursuant to the interim order made in the writ petition.



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4. Hence, this petition is allowed and the management / petitioner in C.M.P.No.5640 of 2025 is permitted to withdraw a sum of Rs.2,50,000/- [Rupees Two Lakhs Fifty Thousand only] along with accrued interest, if any, lying to the credit of C.P.No.84 of 2009 on the file of the II Additional Labour Court.

(R.SUBRAMANIAN J.) (G.ARUL MURUGAN J.)
01.04.2025

sri

To

The Presiding Officer,
II Additional Labour Court,
Chennai.