



W.P.No.22198 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.22198 of 2013

and

MP.No.1 of 2013

The Registrar,
Sri Chandrasekharendra Saraswathi
Viswa Maha Vidyala University,
Enatur, Kancheepuram.

...Petitioner

Vs.

1. The Presiding Officer,
Principal Labour Court,
Chennai.

2. V.N.Manigandan

...Respondents

Petition filed under Article 226 of the Constitution of India
praying for the issuance of Writ of Certiorari, calling for the records of
the 1st respondent in I.D.No.178 of 2007 and quash its award dated
29.07.2011.

For Petitioner : Mr.W.Aadarsh Levin
for M/s. T.S.Gopalan and Co.

For Respondents : R1 – Court
: Notice not ready, for R2



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ORDER

The petitioner has come up with this Writ petition seeking quashment of the award passed by the 1st respondent in I.D.No.178 of 2007 dated 29.07.2011.

2. The case of the petitioner is that, the 2nd respondent joined the services of the petitioner as Attender in the year 2000. While so, alleging that he was terminated from service by the petitioner management, the 2nd respondent raised an Industrial dispute in I.D.No.178 of 2007 and the labour court, vide impugned order dated 29.07.2011 directed the petitioner management to pay a sum of Rs.18,000/- towards back wages in favour of the 2nd respondent/workman within a period of two months, failing which, the said amount shall be paid along with 18% interest per annum. Challenging the same, the petitioner has come up with this Writ petition.

3. This Court gave its careful consideration to the submissions advanced on behalf of the learned counsel for the petitioner and perused the material documents placed on record.

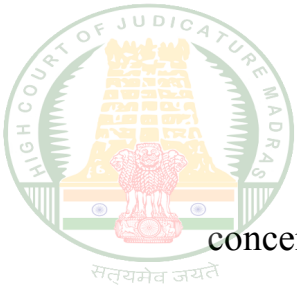


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5. In such circumstances, when the 2nd respondent has shown sufficient cause for seeking leave of absence and when it is not the case of the management that there was no leave to the credit of the petitioner, the rejection of the leave cannot be a ground to deny back wages to the 2nd respondent. Rightly appreciating the said fact, the labour court ordered for payment of Rs.35,000/- towards back wages in favour of the 2nd respondent payable by the petitioner, in which, this Court does not find any fault with.

6. Insofar as the interest of 18% per annum ordered by the labour court in case of default of payment on the part of the petitioner is



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concerned, this Court directs the petitioner to pay a sum of Rs.35,000/- as ordered by the labour court in favour of the 2nd respondent within a period of two weeks from the date of receipt of a copy of this order, without any interest.

7. Accordingly, this Writ petition stands disposed of with the aforesaid direction. No costs. Consequently, the connected Miscellaneous petition is closed.

19.02.2025

skt

NCC : Yes / No
Index : Yes / No
Speaking order : Yes / No

To

The Presiding Officer,
Principal Labour Court,
Chennai.



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M.DHANDAPANI, J.

skt

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