



W.P.No.23595 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.23595 of 2015

and

W.M.P.Nos.11232 & 11233 of 2016

The Management of
Tamil Nadu State Transport Corporation Ltd.,
Villupuram – 605 602.

... Petitioner

Vs.

1.The Presiding Officer,
The Labour Court,
Cuddalore.

2.G.Sekar

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records of the order passed by the 1st respondent Labour Court in I.A.No.128 of 2014 in C.P.No.18 of 2013 dated 10.06.2014 and C.P.No.18 of 2013 dated 13.03.2014 and quash the same and to direct the 1st respondent to rehear the C.P.No.18 of 2013.

[Prayer amended vide order dt.07.03.2025 made in W.M.P.No.14598 of 2024 in W.P.No.23595 of 2015]



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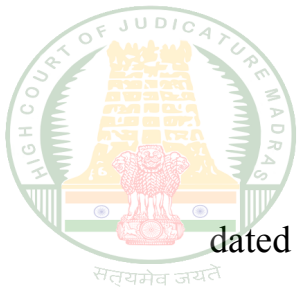
For Petitioner : Mr.M.Aswin

For Respondents : Labour Court [R1]
Mr.K.Arunagiri [R2]

ORDER

This Writ Petition has been filed by the petitioner seeking for a Writ of Certiorarified Mandamus, to call for the records of the order passed by the 1st respondent Labour Court in I.A.No.128 of 2014 in C.P.No.18 of 2013 dated 10.06.2014 and C.P.No.18 of 2013 dated 13.03.2014 and quash the same and to direct the 1st respondent to rehear the C.P.No.18 of 2013.

2. The case of the petitioner is that the 2nd respondent was working in the petitioner corporation and on 21.07.2000, he was dismissed from service for the proven charges, against which, he raised an industrial dispute before the labour court in I.D.No.95 of 2001 and the same was allowed vide order dated 23.08.2011. Thereafter, the 2nd respondent was not reinstated by the petitioner corporation, thereby, initially the 2nd respondent had filed a claim petition in C.P.No.44 of 2012 claiming wages from 21.12.2011 to 20.07.2012 and the labour court, by its order,



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dated 10.06.2013 directed the petitioner corporation to pay Rs.1,19,378/-.

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Thereafter, the 2nd respondent/workman had filed another petition in C.P.No.18 of 2013 claiming wages from 21.07.2012 to 20.06.2013 claiming arrears of salary and the labour court, by its order, dated 13.03.2014 directed the petitioner to pay a sum of Rs.1,21,770/- towards wages from 21.12.2012 to 20.06.2013. Subsequently, he filed an interlocutory application in I.A.No.128 of 2014 in C.P.No.18 of 2013 to review the order passed in C.P.No.18 of 2013 and the labour court, vide order dated 10.06.2014 reviewed the claim petition and directed the petitioner to pay a sum of Rs.2,21,400/- to the 2nd respondent towards wages from 21.07.2012 to 20.06.2013. Challenging the same, the present writ petition is filed.

3. Learned counsel for the petitioner submitted that the 2nd respondent has filed C.P.No.18 of 2013 claiming arrears of salary for the period from 21.07.2012 to 20.06.2013, in which the labour court has awarded Rs.1,21,770/- in favour of the 2nd respondent. Thereafter, the 2nd respondent has filed an interlocutory application to review the said order. Accepting the contentions of the 2nd respondent workman, the labour court allowed the application and modified the award vide impugned



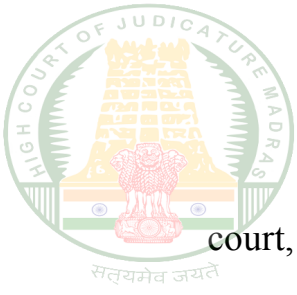
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order dated 10.06.2014, directing the petitioner to pay a sum of Rs.2,21,400/- to the 2nd respondent is wholly unsustainable. However, the learned counsel, on instructions submitted that as on date, the total arrears of salary to the 2nd respondent is only Rs.1,69,905/-, which includes the provident fund and the petitioner has no objection to pay the said amount to the 2nd respondent. Accordingly, he prays for appropriate orders.

4. On the above contentions, heard the learned counsel appearing for the 2nd respondent and perused the materials available on record.

5. It is claimed by the learned counsel for the petitioner that pursuant to the interim order passed by this Court dated 04.08.2015, the petitioner has deposited Rs.6,61,000/- before the labour court.

6. In view of the fair submissions made by the learned counsel appearing for the petitioner, this Court, without going into the merits of the case, holds that the 2nd respondent is entitled to Rs.1,69,905/-, which includes provident fund. Since the petitioner claims that they have deposited the entire amount as ordered by this Court before the labour



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court, the 2nd respondent is permitted to withdraw Rs.1,69,905/-, if not already withdrawn and the petitioner Management is permitted to withdraw the balance amount.

7. With the above directions, this Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

07.03.2025
(2/2)

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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To

The Presiding Officer,
Labour Court,
Cuddalore.



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M.DHANDAPANI, J.

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