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W.P.No.4452 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.4452 of 2019

and

W.M.P.Nos.5018 of 2019 and 3929, 3933 & 3937 of 2022

The Management rep. by its
Managing Director,
Metropolitan Transport Corporation (Chennai) Ltd.,
Anna Salai, Chennai – 600 002. ... Petitioner

Vs.

G.Rajaguru ... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, calling for the records pertaining to the order passed in C.P.No.141 of 2017 dated 25.10.2018 on the file of the I Additional Labour Court, Chennai and quash the same.

For Petitioner : Mr.A.Vinothraj

For Respondent : Mrs.M.D.Leelavathi



W.P.No.4452 of 2019

WEB COPY

ORDER

Aggrieved by the order dated 25.10.2018 passed by the learned I Additional Labour Court, Chennai in C.P.No.141 of 2017, the present writ petition has been filed.

2. The case of the petitioner is that the respondent joined the petitioner corporation as a Tradesman on 07.05.1994. He unauthorizedly absented himself from duty for 555 days in between 23.1.2013 to 31.7.2014, thereby domestic enquiry was initiated against him and he was dismissed by an order, dated 01.08.2014. Thereafter, the petitioner has filed an approval petition in A.P.No.172 of 2014 and the same was rejected on technical grounds on 20.02.2017, against which, the petitioner filed a writ petition before this Court in W.P.No.16436 of 2017. During the pendency of the said writ petition, the respondent had filed a computation petition before the labour court in C.P.No.141 of 2017 and the labour court, without knowing the outcome of the said writ petition, ordered a sum of Rs.9,66,874/- in favour of the respondent. Challenging the order, the present writ petition has been filed.



W.P.No.4452 of 2019

WEB COPY

3. Learned counsel appearing for the petitioner submitted that the writ petition filed by the respondent challenging the rejection of approval passed in A.P.No.172 of 2014, dated 20.02.2017, was allowed by this Court vide order dated 25.11.2022, setting aside the order of the authority, against which, the respondent has preferred an appeal in W.A.No.421 of 2023 before the Division Bench of this Court and the same was disposed of, directing the petitioner management to settle some amount to the respondent vide judgment dated 28.04.2023. Further, he submitted that in view of the judgment passed in W.A.No.421 of 2023, the present impugned order passed in C.P.No.141 of 2017 has become infructuous. He further submitted that, if any pension is pending due to the respondent, the same will be settled in the due course.

4. Learned counsel appearing for the respondent submitted that the terminal benefits was settled before the Division Bench of this Court and all the benefits were paid except PBO.



W.P.No.4452 of 2019

WEB COPY

5. In view of the above submissions made by the learned counsel appearing for the parties, the petitioner management is directed to settle the PBO to the respondent in term of the judgment passed in W.A.No.421 of 2023, within a period of four (4) weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

15.04.2025

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

- 1.The Presiding Officer,
I Additional Labour Court,
Chennai.
- 2.The Managing Director,
Metropolitan Transport Corporation (Chennai) Ltd.,
Anna Salai, Chennai – 600 002.



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M.DHANDAPANI, J.

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