



W.P.No.14133 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 15.07.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.14133 of 2023

K.Shanmugam

... Petitioner

Vs.

The Management
Metropolitan Transport Corporation
(Chennai) Ltd.
Anna Salai, Chennai- 600002.

...Respondent

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorarified Mandamus calling for the records of I Additional Labour Court order dated 22.07.2022 passed in C.P.No 165 of 2019 quash the portion of order denying backwages for the period from the date of dismissal i.e from 03.11.2011 to the date of high court order i.e, 03.02.2016 and consequently direct the respondent to pay the backwages with other attendant benefits for the non employment period as claimed in C.P.No.165 of 2019 to the petitioner.



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W.P.No.14133 of 2023

For Petitioner : M/s.S.T.Varadarajulu

For Respondent : M/s.A.Vinothraj

ORDER

Challenging the order passed in CP.No.165/2019 in so far as the backwages had been granted without interest from the date of the termination, the workman is before this Court.

2. Heard the counsels on either side.

3. Since the Approval Petition has been dismissed, the petitioner workman is presumed to be in service from the date of the termination. Therefore, in the instant case, since the Approval Petition has been rejected by the Joint Commissioner of Labour and the same has been set aside only for the limited purpose of inflicting a lesser punishment, the petitioner is entitled to back wages from the date of his termination.

4, In view of the above and in the light of the dismissal of WP.No.30023 of 2022, this Writ Petition is allowed and the



W.P.No.14133 of 2023

respondent is directed to pay the backwages to the petitioner from the date of termination till the date of payment within a period of 2 months from the date of receipt of a copy of this order, failing which the amount will start earning interest at the rate of 9% per annum. No costs.

15.07.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

The 1st Additional Labour Court, Chennai.



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W.P.No.14133 of 2023

P.T. ASHA. J.,

(shr)

W.P.No.14133 of 2023

15.07.2025

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