



WEB COPY

W.A.Nos. 341 & 415 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A.Nos. 341 & 415 of 2025

and

C.M.P.Nos. 2750, 2752, 3474 & 3476 of 2025

Thirumalaiselvanshanmugam

... Appellant in both appeals

Vs.

Tata Consultancy Service Limited,
Rep. by the Vice President - Human Resources,
No.185, Lloyds Road,
Chennai - 600086.

...Respondent in both appeals

Common Prayer: Writ Appeals filed under Clause 15 of the Letters Patent, against the order dated 20.02.2024 made in W.M.P.Nos.18093 of 2023 & 31034 of 2022 in W.P.No.22244 of 2022.

For Appellant : Mr.D.Sujatha in both appeals

COMMON JUDGMENT

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

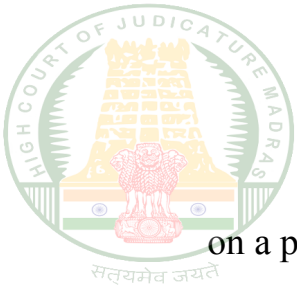
The appellant has been non-suited by the writ Court solely on the ground that he has not come with clean hands.



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2. In the affidavit filed in support of the petition seeking wages under Section 17(b) of the Industrial Disputes Act, the appellant has clearly stated that he was unemployed and he has been managing only on loans obtained by friends and relatives. When the Management filed a counter affidavit contending that the petitioner is gainfully employed in another Company along with details found in the website of the other Company, the petitioner came out with a new story that the said Venture is his own Company and he has not gainfully employed. The appellant should have disclosed the details and sought for 17(b) wages.

3. The Writ Court has also referred to the pronouncements of the Hon'ble Supreme Court, which mandates that a person seeking 17(b) wages must come to Court with clean hands. Hence, we see no necessity to interfere with the order of the Writ Court at this juncture. This Writ Appeal, fails and it is accordingly, **dismissed**. No costs. Consequently, connected miscellaneous petitions are closed.



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4. We request the writ Court to take up the Writ Petition for disposal
on a priority basis.

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(R.S.M., J.) (G.A.M., J.)
20.02.2025

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Index: No
Speaking order
Neutral Citation : No

To:

Tata Consultancy Service Limited,
Rep. by the Vice President - Human Resources,
No.185, Lloyds Road,
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R.SUBRAMANIAN, J.

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and
G. ARUL MURUGAN, J.

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