



*W.M.P.No.33348 of 2024
in W.P.No.25902 of 2015*

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2025

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.M.P.No.33348 of 2024
in W.P.No.25902 of 2015

M/s.TSV and Co,
No.30/31, Alapakkam Main Road,
Kander Nagar,
Alapakkam,
Chennai - 600 116.

.. Petitioner

Versus

1. Kathiravan

2. II Additional Labour Court,
Chennai.

.. Respondents

Prayer : Writ Miscellaneous Petition filed under Article 226 of the Constitution of India, pleaded to direct the Registrar General of this Court to return the amount deposited by the petitioner a sum of Rs.5,00,000/- (Five lakh rupees) along with accrued interest and since the Writ Petition disposed on 24.06.2024 in W.P.No.25902 of 2015.



*W.M.P.No.33348 of 2024
in W.P.No.25902 of 2015*

For Petitioner : M/s.S.Suneetha

For Respondents : No Appearance for R1

: R2 - Labour Court



WEB COPY



*W.M.P.No.33348 of 2024
in W.P.No.25902 of 2015*

ORDER

In this matter, by the interim order, dated 20.08.2015 in M.P.No.1 of 2015 in W.P.No.25902 of 2015, the petitioner management was directed to deposit a sum of Rs.5,00,000/- to the credit of the Industrial Dispute in I.D.No.525 of 2010.

2. It is stated that the management has complied with the order and the amount has already been deposited. Thereafter, by the judgment, dated 24.06.2024 made in W.P.No.25902 of 2015, the Writ Petition, filed by the management, is allowed and the order of the Labour Court in I.D.No.525 of 2010, dated 03.12.2014 was set aside. Therefore, the management is naturally entitled to withdraw the amount deposited by it along with accrued interest if any. Since the said observation was not made, while the main Writ Petition was disposed of, the management has come up by way of this Writ Miscellaneous Petition.



*W.M.P.No.33348 of 2024
in W.P.No.25902 of 2015*

WEB COPY

3. When this Writ Miscellaneous Petition was taken up for hearing on 06.12.2024, the learned Counsel for the workman submitted that they are preferring an appeal as against the final order passed in the Writ Petition.

4. Considering the submissions made by the learned Counsel for the workman that they received the order copy in the main Writ Petition only on 28.11.2024, so as to enable the workman to file an appeal and to get interim orders if any, this Court gave a longer time and adjourned the matter to 03.01.2025. Now, we are on 09.01.2025. The learned Counsel for the petitioner management submits that to their knowledge, the workman has not obtained any interim order from the Division Bench.

5. In view thereof, when the Writ Petition, filed by the management, is allowed, the management is entitled to withdraw the sum deposited by it along with accrued interest if any.



*W.M.P.No.33348 of 2024
in W.P.No.25902 of 2015*

WEB COPY

6. Accordingly, this Writ Miscellaneous Petition stands allowed.

09.01.2025

grs

To

The II Additional Labour Court,
Chennai.



WEB COPY



*W.M.P.No.33348 of 2024
in W.P.No.25902 of 2015*

D.BHARATHA CHAKRAVARTHY, J.

grs

W.M.P.No.33348 of 2024
in W.P.No.25902 of 2015



WEB COPY



*W.M.P.No.33348 of 2024
in W.P.No.25902 of 2015*

09.01.2025