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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

C.R.P.(PD) (MD) No.1200 of 2024
and
C.M.P.(MD) No.6928 of 2024

The Management
Tamil Nadu State Express
Transport Corporation
Pallavan Salai
Chennai-600 002 ... Petitioner

-vs-

P.Kovilpitchai ... Respondent

PRAYER: Civil revision petition is filed, under Article 227 of the Constitution of India, to set aside the order and decreetal order, dated 17.04.2024, passed in E.P.No.5 of 2023 in C.P.No.18 of 2018, on the file of the Labour Court, Tirunelveli.

For Petitioner : Mr.S.C.Herold Singh

For Respondent : Mr.D.Srinivasa Ragavan

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O R D E R

This civil revision petition is directed against the order, dated 17.04.2024, passed in E.P.No.5 of 2023 in C.P.No.18 of 2018, on the file of the learned Labour Court, Tirunelveli.

2. The said claim petition in C.P.No.18 of 2018 was filed by the respondent herein seeking computation of the amounts due and payable by the petitioner – Transport Corporation pursuant to the award dated 15.11.2016, passed in I.D.No.21 of 2016, on the file of the learned Labour Court, Tirunelveli.

3. The contest of the petitioner – Transport Corporation against the order dated 17.04.2024 passed in E.P.No.5 of 2023 is on the ground that the writ petition *vide* W.P.(MD) No.19302 of 2017 filed by them against the award dated 15.11.2016, passed in I.D.No.21 of 2016, on the file of the learned Labour Court, Tirunelveli, is pending before this Court. As this Court has dismissed the said writ petition *viz.*, W.P.(MD) No.19302 of 2017 today, the said ground taken by the petitioner – Transport Corporation in this civil revision petition is not available.

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4. In view of the fact that the award, dated 15.11.2016, passed in I.D.No.21 of 2016, on the file of the learned Labour Court, Tirunelveli, has attained finality, the petitioner – Transport Corporation is bound to give effect to the said award. The order, dated 17.04.2024 passed in E.P.No.5 of 2023, on the file of the learned Labour Court, Tirunelveli, is in the nature of execution of the award dated 15.11.2016, passed in I.D.No.21 of 2016, on the file of the learned Labour Court, Tirunelveli. This Court does not see any reason to interfere with the impugned order passed by the learned Labour Court in E.P.No.5 of 2023.

5. The petitioner – Transport Corporation has deposited 50% of the amount claimed in the execution petition *viz.*, E.P.No.5 of 2023 in terms of the interim order dated 15.05.2024, passed by this Court. The petitioner – Transport Corporation is granted eight weeks' time from the date of receipt of a copy of this order for depositing the balance amount to the credit of E.P.No.5 of 2023, on the file of the learned Labour Court, Tirunelveli.

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6. Accordingly, this civil revision is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

24.03.2025

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NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To:
The Presiding Officer,
Labour Court,
Tirunelveli.

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MUMMINENI SUDHEER KUMAR, J.

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and
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