



W.P.(MD)No.13591 of 2019

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD)No.13591 of 2019
and W.M.P.(MD)Nos.10141 and 13880 of 2019

Sri Meenambigai Motor Services,
149, Pullakkottai Road,
Virudhunagar Town – 626 001,
Rep. by its Ex-Proprietor,
N.Gnanamani.

... Petitioner

Vs.

T.S.Kandasamy

... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order passed by the Labour Court, Madurai in I.A.No.220 of 2019 in C.P.No.64 of 2005 dated 20.05.2019 and quash the same insofar as imposing the condition deposit alone on the ground that the same is arbitrary, illegal and without any legal basis and consequently directing the Labour Court, Madurai to rehear the C.P.No.64 of 2005 and dispose the same.

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For Petitioner : Mr.S.Karthik
For Respondent : Mr.G.Aravinthan

ORDER

This Writ Petition has been filed aggrieved by an order dated 20.05.2019 passed in I.A.No.220 of 2019 in C.P.No.64 of 2005. By virtue of the said order, the learned Labour Court, condoned the delay in filing an application to set aside the award passed in C.P.No.64 of 2005, dated 11.03.2019. The said application was allowed by the learned Labour Court on condition of petitioner depositing Rs.3,27,059/- ie., the amount claimed by the respondent in the main claim petition and further permitted the respondent herein to withdraw 50% of the said amount ie., Rs.1,63,530/-. The respondent herein is not before this Court against the said order dated 20.05.2019. It is only the petitioner came before this Court aggrieved by that portion of the order, whereby the petitioner herein was required to deposit Rs.3,27,059/-.

2. As seen from the material on record and as submitted by the learned counsel on either side, already an amount of Rs.1,41,184/- is lying in



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deposit to the credit of C.P.No.64 of 2005, keeping this matter pending will not benefit the respondent as well, this Court, with the consent of both parties, is inclined to dispose of the matter by modifying the impugned order in this Writ Petition and accordingly, disposed of directing the petitioner to deposit a further sum of Rs.50,000/- to the credit of C.P.No.64 of 2005, within a period of six weeks from the date of receipt of a copy of this order. On deposit of the said amount, I.A.No.220 of 2019 shall stand allowed and the learned Labour Court shall take further proceedings thereon. The respondent herein is permitted to withdraw the amount already lying in deposit to the tune of Rs.1,40,000/- without furnishing any security. The learned Labour Court is further directed to conclude the proceedings in the matter as expeditiously as possible, at any rate, within a period of two months from the date of deposit of Rs.50,000/- by the petitioner. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

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Neutral Citation: Yes / No
Index : Yes / No
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MUMMINENI SUDHEER KUMAR, J.

vsm

To

The Presiding Officer,
Labour Court, Madurai.

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