



WEB COPY

WMP No. 17092 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-06-2026

CORAM

THE HONOURABLE MR.JUSTICE K. SURENDER

WMP.No. 17092 of 2024

IN

WP.No,18293 OF 2023

and

W.P.No.29575 of 2023

B.Rajkumar
Old No.24, New No.32,
Beemanna Mudali Street,
Alwarpet,
Chennai-600 018.

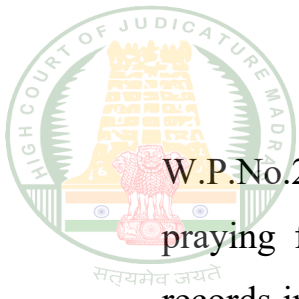
..Petitioner in
W.P.No.29575 of 2023
and W.M.P.No.17092 of
2024 and respondent in
W.P.No.18293 of 2023

Vs.

The Management
HDC Hyundai Engineering Plastics India (p) Ltd.,
No.137, Vayaloor Village,
Tiruvallur District-602 105.

.. Respondent in
W.P.No.29575 of 2023
and W.M.P.No.17092 of
2024 and petitioner in
W.P.No.18293 of 2023

WMP No.17092 of 2024 in W.P.No.18293 of 2023 is filed to direct the respondents to pay Rs.14,000/- to the petitioner per month from the date of the Award is 17.03.2023 and continue to pay the same every month until the disposal of WP.No.18293 of 2023.



W.P.No.29575 of 2023 is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records in impugned Award by the First Additional Labour Court at Chennai in O.P.No.86 of 2019, dated 17.03.2023 and quash the same, inasmuch as it held three charges to be proved and thus denied the petitioner 50% back-wages and direct the respondent to pay full back wages to the petitioner.

W.P.No.18293 of 2023 filed under Article 226 of the Constitution of India, to call for the records pertaining to the Award dated 17.03.2023 in O.P.No.86 of 2019 passed by the I Additional Labour Court, Chennai and quash the same as arbitrary and not in accordance with law consequently.

For Petitioner(s):	Mr.S.Kumaraswamy in W.P.No.29575 of 2023 & W.M.P.17092 of 2023
For Respondent(s):	M/s.N.Devi in W.P.No.18293 of 2023 and W.M.P.No.17092 of 2023 and W.P.No.29575 of 2023

COMMON ORDER

W.M.P.No.17092 of 2024 in W.P.No.18293 of 2023 is filed praying to direct the respondents to pay Rs.14,000/- to the petitioner per month from the date of the Award is 17.03.2023 and continue to pay the same every month until the disposal of WP.No.18293 of 2023.

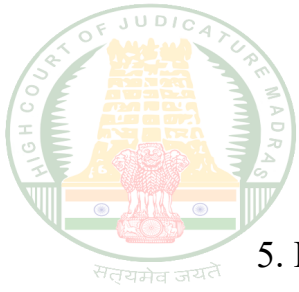
2. The main Writ Petition in W.P.No.18293 of 2023 is filed under Article 226 of the Constitution of India, by the Management, praying for issuance of a



Writ of Certiorari, to call for the records pertaining to the Award, dated 17.03.2023 passed in O.P.No86 of 219 by the I Additional Labour Court, Chennai and quash the same as arbitrary and not in accordance with law consequently.

3. The workman has also filed W.P.No.29575 of 2023 under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus calling for the records in impugned Award by the First Additional Labour Court, Chennai in O.P.No.86 of 2019, dated 17.03.2023 and quash the same, inasmuch as it held three charges to be proved and denied the petitioner 50% of the back-wages and direct the respondent to pay full back-wages to the petitioner.

4. Learned counsel for the petitioner/workman, in W.M.P.No.17092 of 2023 submitted that by virtue of the impugned Labour Court's Award, the workman was awarded with punishment of dismissal from service and prayed that the workman may be reinstated as Driver. Though the Management has preferred W.P.No.18293 of 2023, questioning the Award of the Labour Court, it is seen from the Industrial Disputes Act, that too under Section 17-B therein that when once the employer prefers any proceedings directing reinstatement before the High Court, the employer is liable to pay the full wages last drawn by the workman till the disposal of the main Writ Petition.



5. Further, it is for the employee to file an affidavit stating that he was not gainfully employed anywhere-else and the employee was not taken back by the Management, then, in the said circumstances, it is for the Management to pay the last drawn wages as per Section 17-B of the Industrial Disputes Act till the disposal of the Writ Petition filed by the workman and also the Management.

6. Accordingly, the Management is directed to pay the necessary quantified amount of last drawn wages of the workman, till the disposal of all these three petitions. W.M.P.No.17092 of 2024 is accordingly allowed. List both W.P.No.29575 of 2023 and W.P.No.18293 of 2023 for hearing in the usual course.

11-06-2026

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To

The First Additional Labour Court, Chennai.



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WMP No. 17092 of 2



K.SURENDER, J

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**WMP No. 17092 of 2024
IN
WP NO. 18293 OF 2023 &
W.P.No.29575 of 2023**

11-06-2026