

ITEM NO.43

COURT NO.6

SECTION XII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No. 7201/2020

(Arising out of impugned final judgment and order dated 05-07-2018 in WA No. 1746/2017 passed by the High Court Of Judicature At Madras)

THE MANAGEMENT OF TAMIL NADU
STATE TRANSPORT CORPORATION
(VILLIPURAM DIVISION I) LTD.

Petitioner(s)

VERSUS

THIRU M.V. DHANDAPANI

Respondent(s)

(IA No. 40808/2020 - EXEMPTION FROM FILING O.T.)

Date : 07-07-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ANIRUDDHA BOSE
HON'BLE MR. JUSTICE SANJAY KUMAR

For Petitioner(s) Ms. G. Indira, AOR
Mr. Harnaman Singh, Adv.
Mr. Ashwini Kumar, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Heard learned counsel for the petitioner.

The respondent goes unrepresented.

A Single Judge of the High Court in this matter has in substance confirmed the award of the Labour Court directing reinstatement of the respondent in service with back wages. The respondent State Transport Corporation had approached the Labour Court questioning legality of his termination effected by

the corporation but the Division Bench in the impugned order has directed that the respondent-workman would not be entitled to back wages. The respondent was to be reinstated as a fresh appointee from 13th July 2006, on which date a Government Order was issued for a specified set of drivers and conductors, whose services were terminated. The reasoning for that, it appears from paragraph '11' of the judgment assailed in this petition. This passage records:-

"11. A reading of the above clearly shows that the conferment of benefit under the G.D. is not restricted to employees appointed on or after a particular day. Therefore, we see no reason to interfere with the judgment of the learned Single Judge. From the records, it is seen that the respondent workman has been paid 17(b) wages till the date of disposal of the Writ Petition. He has also been permitted to withdraw a sum of Rs. 1,35,000/- which was deposited towards back wages. In view of the said facts, we dispose of this Appeal with the following directions:"

We find no reason to interfere with the impugned judgment and order. The present petition is accordingly dismissed.

Pending application(s), if any, shall also stand disposed of.

(SNEHA DAS)
SENIOR PERSONAL ASSISTANT

(VIDYA NEGI)
ASSISTANT REGISTRAR