

Madras HC vacates interim stay on deducting six day wages of CITU NLC union members

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CHENNAI: The [Madras High Court](#) has vacated its interim stay restraining the management of the [Neyveli Lignite Corporation](#) from deducting the wages of the members of the [CITU NLC Labour and Staff Union](#) for a period of six days.

"The fact remains that the workmen went on [strike](#) in spite of the prohibitory order," said Justice TS Sivagnanam, who vacated the interim stay restraining the NLC management from deducting the wages.

From the averments of the counter filed by the management it "prima facie appears that the workmen unleashed terror in the Township and there has been damage to public property apart from vehicles owned by the management and its executive having been damaged," the court said.

If what has been stated in the counter affidavit is true, the public of the area would have been in peril and "this has happened when there is prohibitory order passed by this Court restraining the trade union and its members from proceeding with the strike," the court held.

"Given these hard facts, this court is of the firm view that the petitioners have failed to make out any prima facie case in their favour. The balance of continece is definitely not on their side. Owing to the conduct the petitioners cannot claim any irreparable hardship," the judge said.

"In any event if there is a [wage cut](#) and there is a challenge to the wage cut and ultimately if the workmen succeed in the challenge, the action of the management imposing a wage cut is reversible. Therefore, it is not a situation where the clock cannot be put back," the judge said.

The matter relates to the wage cut order that was passed by NLC management on November 3 deducting six days wages for participating in the strike from July 20 to August 27.

This was stayed by the court through an interim order on November 27 directing the management not to cut the wages till further orders and after issuing notice to file the counter. The court had posted the matter for further hearing this month.

When the matter came up recently, the court vacated the interim stay.

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