

**BEFORE THE PRINCIPAL LABOUR COURT, VELLORE,
VELLORE DISTRICT.**

**PRESENT : Tmt.S.Uma Maheswari, M.L.,
Presiding Officer**

Wednesday, the 15th day of April, 2026

**E.P. No.02 of 2026
(CNR No.TNVL02-000263-2025)
IN
C.P.No.44/2023**

G.Ravi,
S/o. Gopal,
No.141, Arni Road,
Barathi Nagar,
Kaniyambadi,
Vellore District – 632 102.

.... Petitioner/Decree Holder

VERSUS

The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram Limited),
Vellore Region,
Rangapuram,
Vellore – 632 009.

.... Respondent/Judgment Debtor

This Execution Petition came up for final hearing on 06.04.2026 in the presence of Thiru.A.Suresh Babu, the Authorized Representative for the Petitioner and Thiru.Dr.G.Devaraj, the Advocate for the respondent. Upon hearing the arguments, upon perusing the material case records and having stood over for consideration till this date, this Court delivered the following:-

ORDER

This execution petition is filed by the petitioner to direct the respondent to pay the order amount with interest amount totalling to Rs.16,936/- in default to order for attachment and sale of the property belonging to the respondent for the realization of the award amount.

1. Petition averments in-brief:-

The petitioner preferred a C.P.No.44/2023 on the file of this court and obtained an order in his favour on 07.08.2024 towards his claim for 10 days' salary. Based on the order the respondent's management was liable to pay the above said amount to the petitioner. But the respondent's management failed to pay the amount as per the order of this court, thus the petitioner has filed this present Execution Petition for attachment and sale of the property belonging to the respondent.

2. Counter averments in-brief:-

The respondent in his counter admitted the order passed in C.P.No.44/2023 in favour of the petitioner on 07.08.2024. Further he averred that, the calculation given in this petition is not correct and on this ground alone this petition is liable to be dismissed.

The Respondent/Judgement Debtor further states that the petitioner herein has filed the present Execution Petition claiming 10 days' salary. But his claim is not maintainable for the reason that, the management had computerized the disbursement of salary in the year 1986. Accordingly the period calculated for wages has to be commenced from 21st of every month

to 20th of the next month. On that basis the management had paid the December 1985 month salary by calculating the period from 01.12.1985 to 31.12.1985. Due to the computerization, the management has calculated the period for January month commencing from 21.12.1985 to 20.01.1986 and paid the salary accordingly. Thereby the employees who had joined before 1986 obtained salary for 10 days twice. Further, the respondent contended that this double disbursement of 10 days' salary will be adjusted at the time of superannuation of the concerned employee. Therefore, the respondent alleged that they are not liable to pay the E.P. amount as claimed by the petitioner. Therefore, he requests for the dismissal of the petition.

3. Point for consideration:-

Whether this petition is liable to be allowed or not?

After hearing both the counsels, after perusing the petition and counter filed by the respective parties and on the basis of available records, this court comes to know that the petitioner has filed this execution application to realise the Computation Petition order amount passed in his favour in default to order for attachment and sale of the property of the respondent.

The petitioner has filed the C.P. No.44/2023 before this court and claimed 10 days' salary and the same ended in favour of him. But the respondent herein has not chosen to comply the order of this court till date. Therefore the petitioner to realize the award amount has filed this execution petition.

The respondent in his counter has denied the eligibility of the decree holder and averred that the J.D. herein is not at all liable to pay the order amount as claimed by the decree holder. This court perused the order

passed in C.P.No.44/2023. In the counter filed by the J.D. herein they have accepted the liability of the transport corporation to pay the salary due to the petitioner and accordingly this court has passed an order. But contra to the earlier stand, the respondent herein is refusing now to pay the salary due to the petitioner. If at all the Judgment Debtor herein is aggrieved against the order of this court, the proper remedy should have been an appeal against the order of this court. Instead of preferring an appeal, the Judgment Debtor has raised their objection like a trial proceeding. In the Execution Petition the Judgment Debtor cannot raise all these objections. Thus this court does not find any merits in the claim of the respondent and therefore this execution petition is allowed.

‘Issue fresh attachment batta, attach by 04.05.2026’.

Dictated to the Steno-Typist, typed directly in the Computer, corrected and pronounced by me in the Open Court, on this the 15th day of April, 2026.

**Presiding Officer,
Principal Labour Court,
Vellore.**