

In the High Court of Judicature at Madras

Dated: 12.10.2015

Coram

The Honourable Mr.JUSTICE M.SATHYANARAYANAN

Writ Petition No.35026 of 2013

A.S.Rajarathinam

.... Petitioner

Vs.

1. The Management of Simpson
and Company Ltd.,
No.861, 862, Anna Salai,
Chennai.

2. The Presiding Officer,
Principal Labour Court,
Chennai - 600 104.

.... Respondents

PETITION under Article 226 of The Constitution of India praying for issuance of Writ of Certiorarified Mandamus to set aside quash the para 21 of the award dated 18.06.2013 in I.D.No.86/2002 passed by the learned 2nd respondent and consequently direct the 1st respondent to pay the entire backwages, allowances and other attendant benefits, and compensation to the petitioner.

For Petitioner : Mr.B.Manimaran

For Respondents: Mr.N.Balasubramanian

सत्यमेव जयते
O R D E R

The Joint memo dated 27.7.2015 has been signed by the petitioner and the respondent - management counter signed by the respective learned counsel appearing for the parties.

2. It is relevant to extract the said joint memo of compromise dated 27.7.2015, which is as follows:

"01. Vide Award dt. 18th June 2013, the Principal Labour Court awarded reinstatement of the petitioner with 50% of backwages with continuity of service and other attendant benefits in the ID No.86

of 2002 filed u/s 2A(2) of the Industrial Disputes Act, 1947.

02. Against the above Award dt.18/06/2013, the petitioner herein had filed a writ petition No.35026 of 2013 praying to set aside the above award particularly the para 21, viz "therefore it would be appropriate to order 50% of the backwages with continuity of service and other attendant benefits"and also to order the management to pay entire backwages (100%) and other attendant benefits.

03. Consequent upon the discussion between the petitioner and the Respondent-Management, the management agreed to pay 75% of the backwages and attendant benefits. The Management has readily agreed to the same and therefore this Joint Memo comes to be filed by both the parties recording the agreement as above."

3. In the light of the above-said Joint Memo, this Writ Petition is disposed of. No costs. The Joint Memo dated 27.07.2015 shall form part of the record. The respondent - management shall make every endeavour to act on the said Joint Memo as expeditiously as possible and not later than six weeks from the date of receipt of a copy of this order.

*Herein enter Memo of Compromise

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Management of Simpson and Company Ltd.,
No.861, 862, Anna Salai,
Chennai.
2. The Presiding Officer,
Principal Labour Court,
Chennai - 600 104.

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