

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2016

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE  
and  
THE HON'BLE MR. JUSTICE M.M.SUNDRESH

W.A.No.421 of 2011

Management of PMP Textiles,  
Spinning Mills Limited,  
Thangam Nagar, Pagal Patti,  
Dharmapuri District. .. Appellant/1<sup>st</sup> Respondent

Vs.

1. Presiding Officer,  
Labour Court,  
Vellore.
2. Workmen of PMP Textiles,  
rep. by the Marumalarchi Thozhilalar Munnani (MLF),  
Regn. No.118/D RP,  
by its General Secretary S.Doraisamy,  
Coimbatore-12. .. Respondents/2<sup>nd</sup> Respondent &  
Petitioner.

Appeal filed under Clause 15 of Letters Patent against the order dated 03.01.2011 made in W.P.No.13159 of 1998 on the file of this Court.

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records relating to I.D.No.130 of 1994 on the file of the second respondent, Labour Court, Vellore, quash the award dated 7.4.1996 and substitute the same by reinstating the 28 workmen whose names are given in the order of reference excluding S.No.25 promotion with backwages, continuity of service and other benefits.

For Appellant .. Mr.M.R.Raghavan

For Respondents.. Mr.N.G.R.Prasad for R2  
R1 - Court

\* \* \* \* \*

## JUDGMENT

(Judgment of the Court was made by The Hon'ble Chief Justice)

The sheer passage of time has made the question of restitution of service impractical. The period for which four members of the second respondent - Labour Front worked is about one and half year. The settlements have already taken place qua all other persons, except these four persons and the learned counsel for the appellant/management states that as per the payments made to six other persons, a sum of Rs.40,000/- was paid in July, 2012.

2. It is in view of the aforesaid circumstances we have explored the possibility of settlement, whereby payment of a lumpsum amount, all claims of workmen would stand satisfied. We may say that both the learned counsels took a reasonable view and on different figures being discussed and the Court's suggestion, it was agreed that a sum of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand only) per workman will be paid as full and final settlement of all claims to each of the workman. The payment is to be made within a period of one month from today, whereafter it will carry a simple interest at the rate of 12% per annum.

3. The aforesaid settlement is taken on record and the appeal stands disposed of in terms aforesaid. Consequently, the impugned order is set aside. No costs.  
bbr

s/d-  
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

The Presiding Officer,  
Labour Court,  
Vellore.

+ 1 cc to Mr.M.R.Raghavan, Advocate, SR 22123

+ 1 cc to M/s.Row and Reddy, Advocate, SR 22079

sr(co)  
prk26/4

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