

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.13268 of 2011

- 1.The Chief Executive Officer,
(Wrongly typed as Management)
Tamil Nadu Khadi and Village
Industries Board, Kuralagam,
Chennai - 108.
- 2.Regional Deputy Director
Khadi and Village Industries,
Tirupur.
- 3.The Assistant Director,
Khadi and Village Industries,
Erode (Wrongly typed as Dharapuram) .. Petitioners

V.

- 1.P.Subramaniam
- 2.The Presiding Officer,
Labour Court, Salem. ... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorari to call for the records in C.P.No.306/04, dated 30.03.2011 on the file of the 2nd respondent, the Labour Court, Salem and quash the same as illegal.

For Petitioners .. Mr.S.K.Bose

For 1st Respondent .. Mr.P.Ramanathan

ORDER

Heard the learned counsel for the petitioners and the learned counsel for the 1st respondent.

2.The challenge in this writ petition is to an order passed by the 2nd respondent/Labour Court, Salem in C.P.No.306 of 2004 dated 30.03.2011. Since there was a dispute in the amount payable to the respondent/ workman, he had approached the Labour Court by way of filing a petition under Section 33C(2) of the Industrial Disputes Act. The said petition was ordered and the Labour Court computed the amount payable to the

respondent/workman. Challenging the said order dated 30.03.2011, the Management of the Khadi and Village Industries Board has filed this writ petition and has obtained an order of interim stay on a condition that they deposit the admitted amount minus the amount already deposited within a time frame. This interim direction has been complied with by the petitioner Management.

3. During the pendency of the writ petition, the respondent/workman has reconciled with the factual position and he has submitted through his counsel today that he is ready and willing to accept the calculation given by the petitioners in the affidavit filed in support of the writ petition, which according to the petitioner Management, the Management is liable to pay a sum of Rs.6,66,559/-. The learned counsel for the respondent/workman submits that the respondent is willing to accept the said amount as full and final settlement of his all claims.

4. In the light of the above settlement, the 1st respondent is directed to file a petition before the Labour Court, Salem permitting him to withdraw the eligible amount from and out of the amount lying in deposit to the credit of C.P.No.306 of 2004.

5. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

Sgl

To

The Presiding Officer,
Labour Court, Salem.

+1cc to Mr.S.K. Bose, Advocate, S.R.No.1293
+1cc to Mr.P. Ramanathan, Advocate, S.R.No.1218

KSJ(CO)
EU(27/01/2016)

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