

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 07-03-2016

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.10589 OF 2015

Shell India Markets Private Limited,
Shell Business Service Centre-Chennai,
rep.by its HR Account Manager-MI P&A,
2nd Floor, Campus 4A,
RMZ Millenia Business Park,
143, Dr.M.G.R.Road,
Perungudi,
Chennai-600 096. Petitioner

-vs-

1.The Appellate Authority
appointed under the Tamilnadu Shops &
Establishments Act,1947,
and Deputy Commissioner of Labour,
(Minimum Wages),
Chennai-6.

2.Kugan Paramasivam Respondents

Petition under Article 226 of the Constitution of India, praying for issuance of a writ of certiorari, to call for the records of the first respondent-The Appellate Authority appointed under the Tamilnadu Shops & Establishments Act,1947, and Deputy Commissioner of Labour, (Minimum Wages), Chennai-6, culminating in the order passed in TNSE Appeal No.II/6/2012, dated 09.02.2015, received on 23.02.2015, and quash the same.

For petitioner : Mr.C.Mohan,
for M/s.King & Partridge
No appearance for R1
For respondent 2 : Mr.Balan Haridass.

O R D E R

Parties were referred for Mediation. Mediation has been successful. Memorandum of Settlement, dated 03.03.2016, has been entered into. For better appreciation, the contents of the said Memorandum of Settlement are extracted hereunder :

(For maintaining confidentiality, the contents of the Memorandum of Settlement are omitted, for hosting on website)

2. Mr.G.Ragland Thomas, HR Manager, and Mrs.Priya Ramachandran, HR Accounts Manager, of the petitioner company are present in this Court today.

3. As agreed to in Clause 6 of the Memorandum of Settlement entered into between the parties, the impugned proceedings passed by the first respondent herein are set aside.

4. This Court put a suggestion to the learned counsel for the petitioner as well as the learned counsel for second respondent to make some contribution for Mediation and Conciliation Centre, attached to this Court, for which, the learned counsel have readily agreed with the consent of parties present in court. Accordingly, the petitioner management is directed to pay to the Mediation and Conciliation Centre, attached to this Court, a sum of Rs.50,000/- and the second respondent a sum of Rs.25,000/-. A pay order, bearing No.212965, dated 26.02.2016, drawn in favour of the second respondent/employee, for a sum of Rs.35,00,000/- has been handed over by the petitioner and received by the second respondent, in the Court. The parties shall abide by the terms of Memorandum of Settlement and any breach thereof would leave open for the parties to take appropriate action in accordance with law.

5. Writ Petition is disposed of accordingly. No costs. Consequently, the connected M.P.No.1 of 2015 is closed.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

dixit

To
The Appellate Authority
appointed under the Tamilnadu Shops &
Establishments Act, 1947,
and Deputy Commissioner of Labour,

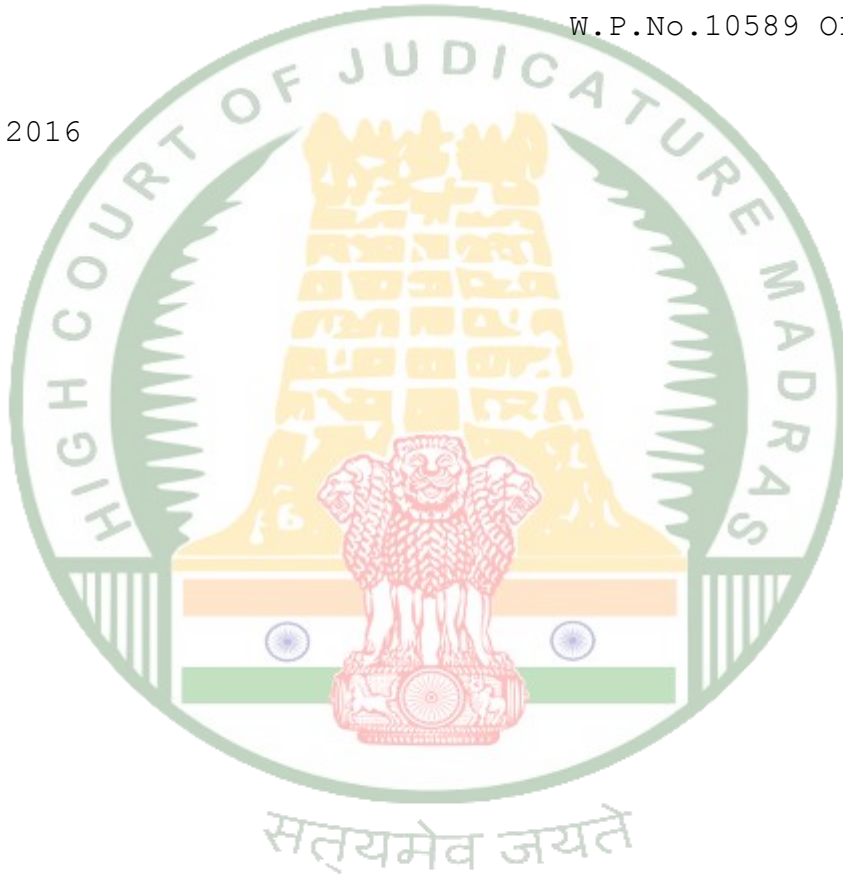
(Minimum Wages),
Chennai-6.

Copy to:
The Secretary,
Tamilnadu Mediation and conciliation Centre,
High Court, Madras.

+1 cc to M/s.King and Partridge, Advocate, sr.14623
+1 cc to Mr.Balan Haridas, Advocate, sr.14813

W.P.No.10589 OF 2015

ug co
kra 29.03.2016



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