

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.11.2016

CORAM

THE HON'BLE MR.JUSTICE M.S.RAMESH

W.P.No.20216 of 2013

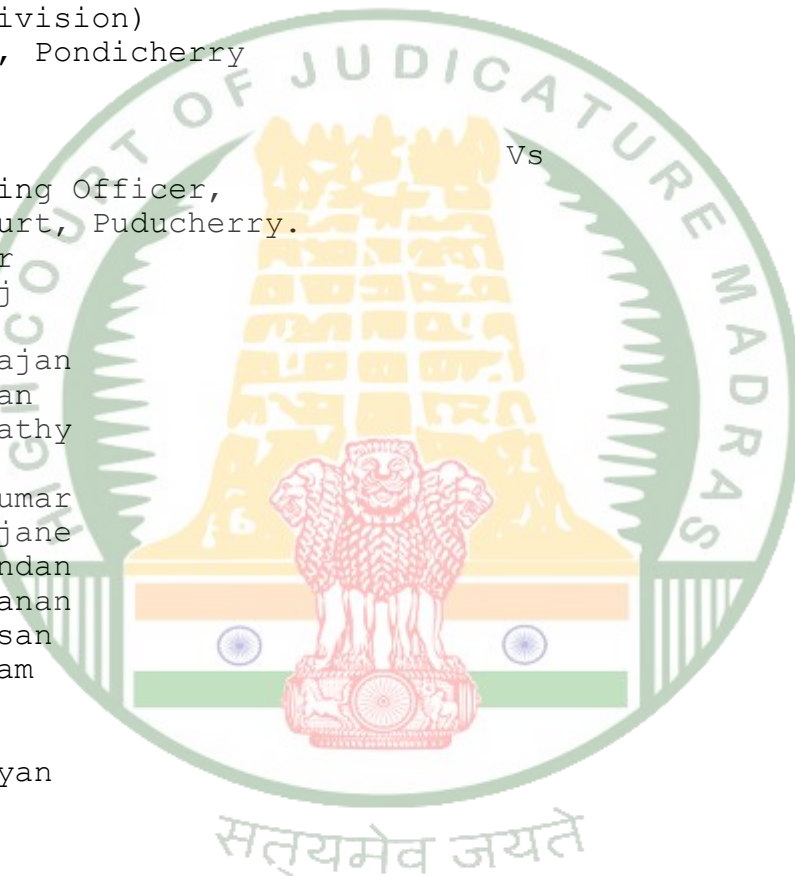
The Factory Manager
Hindustan Unilever Limited
(Detergent Division)
Vadamangalam, Pondicherry
Petitioner

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Vs

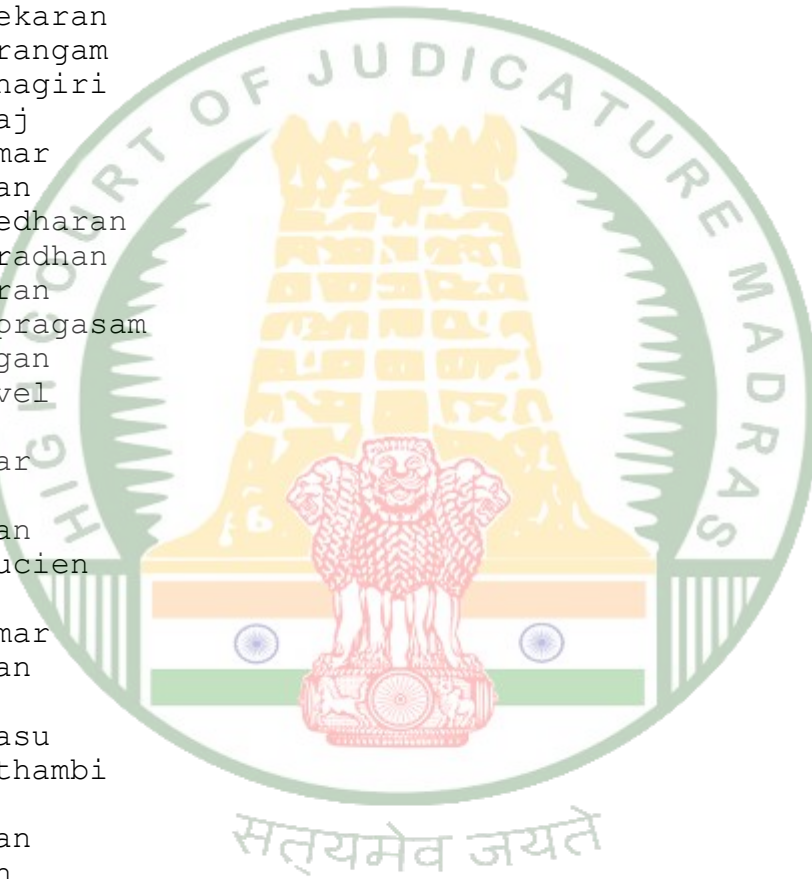
1.The Presiding Officer,
Labour Court, Puducherry.

- 2.R.T.Shankar
- 3.R.Ezhilaraj
- 4.K.Rajaram
- 5.T.Soundarrajan
- 6.S.Saminathan
- 7.D.Venkadapathy
- 8.S.Kannan
- 9.S.Krishnakumar
- 10.D.Nataradjane
- 11.M.Neelakandan
- 12.L.K.Saravanan
- 13.T.Venkatesan
- 14.K.Vinayagam
- 15.A.Ganesan
- 16.N.Gopi
- 17.P.Murugaiyan
- 18.R.Ramani
- 19.R.Sekar
- 20.P.Sundar
- 21.M.Nagarajan
- 22.V.Sivakumar
- 23.P.Thirumurugan
- 24.S.Ayyanar
- 25.R.Azhagappan
- 26.J.Dandapani
- 27.D.Ettiyan
- 28.S.Ganesan
- 29.R.Govindan
- 30.N.Kumar
- 31.K.Muthukumaran
- 32.M.Murugan



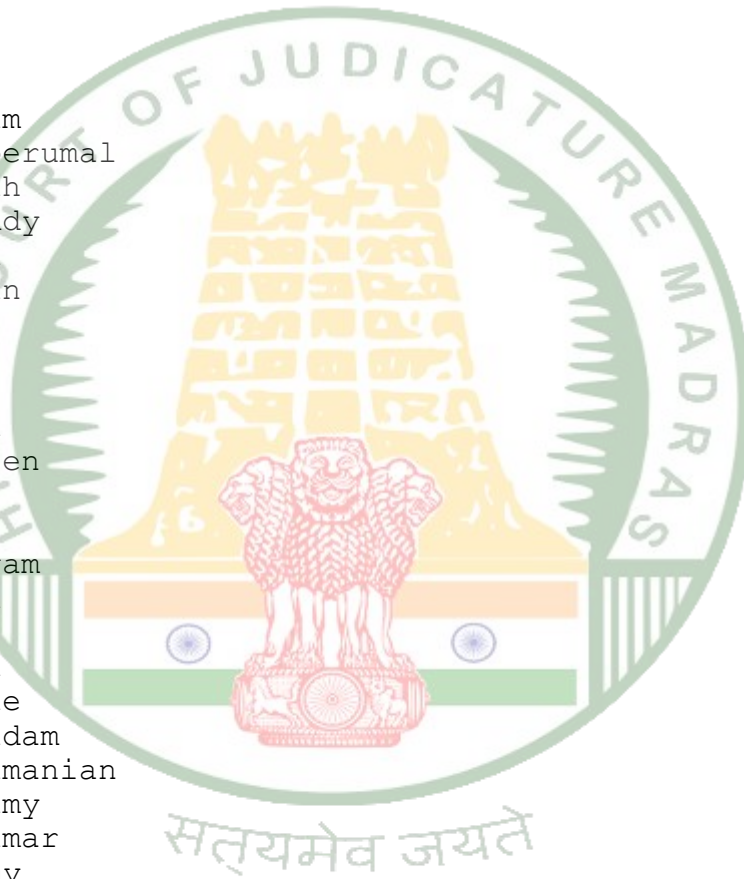
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33.R.Saravanan
34.R.Selvam
35.K.Senguttuvan
36.M.Sivakumar
37.N.Srinivasan
38.K.Velmurugan
39.K.Venkatachalam
40.K.Arumugam
41.A.Frederic Angales
42.G.Karikalan
43.V.Parthiban
44.S.Vasudevan
45.D.Veerasekaran
46.K.Vijayarangam
47.V.Theerthagiri
48.M.Selvaraj
49.D.Arunkumar
50.K.Ayupkhan
51.S.Baraneedharan
52.P.Kalivaradhan
53.V.Manogaran
54.A.Mariappragasam
55.P.Mourougan
56.S.Sakthivel
57.S.Sankar
58.D.Sudhagar
59.R.Suresh
60.R.Pathiban
61.A.Marielucien
62.S.Baskar
63.J.Sivakumar
64.V.Iyyappan
65.C.Ramesh
66.K.Sundarasu
67.T.Chinnathambi
68.A.Gopal
69.G.Kangeyan
70.N.Prakash
71.R.Sivakumar
72.R.Venkatesan
73.S.Baskar
74.B.Janakiraman
75.G.Kathiresan
76.K.Kuppusami
77.R.Lakshmanan
78.P.Murugan
79.S.Muthuvel
80.M.Sivakozhundan
81.D.Thulasinathan
82.R.Couppoussamy



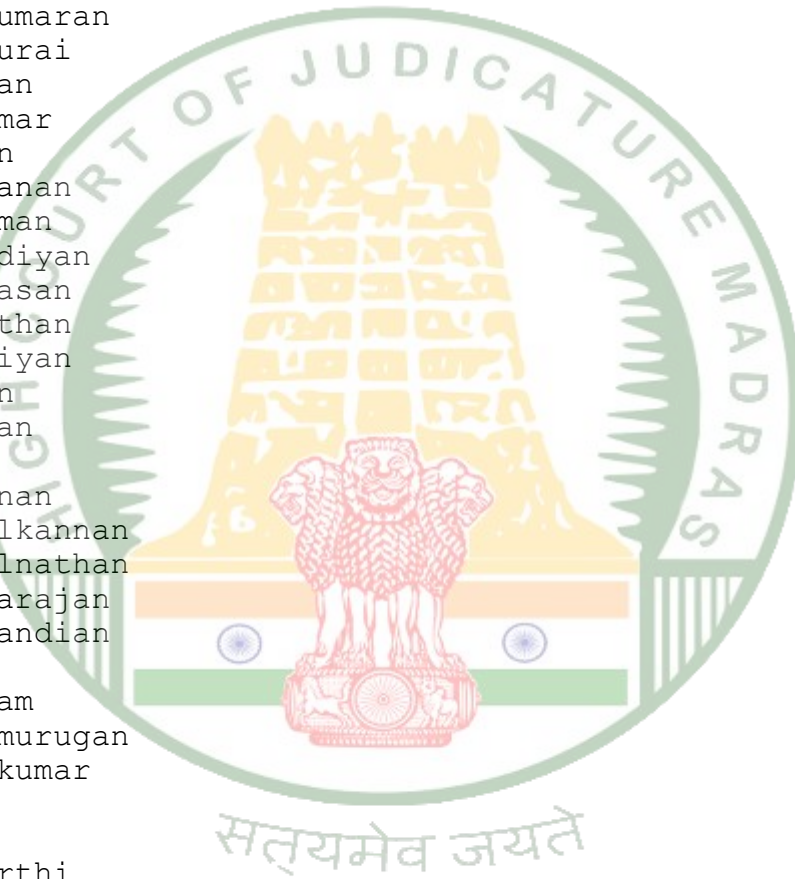
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83.S.Ethirasu
84.K.Muruganandan
85.S.Pakkirisamy
86.P.Varadarajan
87.R.Gnanaprakash
88.M.Gunalan
89.D.Kandeeban
90.K.Kumaran
91.K.Mandanagopalan
92.A.Masilamani
93.V.Meganathan
94.S.Nagoormeeran
95.A.Natarajan
96.S.Ramesh
97.T.Sandanam
98.K.Sudharsanam
99.K.Venketasaperumal
100.C.Karuppaiah
101.J.Konda Reddy
102.A.Kumaresan
103.K.Murugaiyan
104.E.Muthu
105.S.Rajaram
106.T.Rameche
107.R.Saravanan
108.A.Sirajutheen
109.G.Subramani
110.S.Souresh
111.M.Thulasingham
112.M.jaimuruga
113.P.Ilango
114.R.Mariappan
115.S.Mourougane
116.K.Azhaganandam
117.A.Balasubramanian
118.P.Comarassamy
119.V.Krishnakumar
120.A.Kumarasamy
121.B.Raja
122.S.Rajasekaran
123.D.Ramajothi
124.J.Sivaraj
125.S.Thamaraikannan
126.R.Thulasidharan
127.A.Narayanamoorthy
128.V.Krishnaraju Somaya
129.R.Saravanan
130.P.Arumugam
131.D.Krishnamuruthi
132.P.Sunilkumar



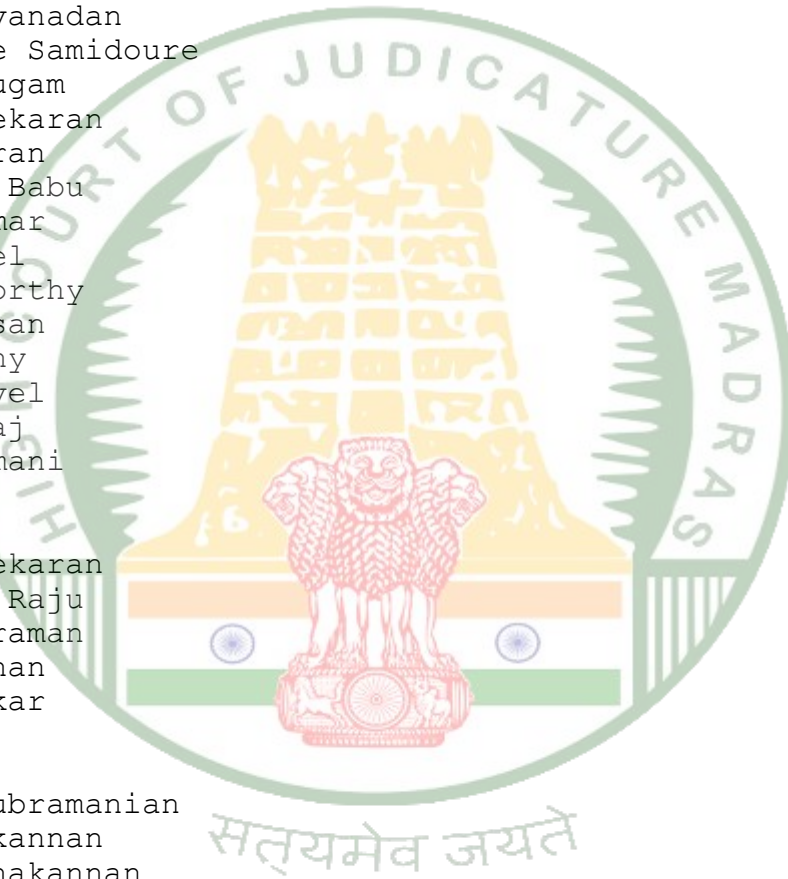
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133.S.Thirumavalavan
134.M.Venkatachalapathy
135.S.Vettrivel
136.R.Saminathan
137.S.Santhanam Pillai
138.M.Rameche
139.V.Duraisamy
140.A.Gunasekaran
141.S.Jayakumar
142.V.Jeyaraman
143.N.Krishnan
144.B.Kumar
145.M.Muthukumaran
146.V.Rangadurai
147.R.Baskaran
148.M.Jayakumar
149.K.Kesavan
150.R.Lekshmanan
151.S.Rajaraman
152.V.Sivanadiyan
153.R.Srinivasan
154.V.Loganathan
155.E.Murugaiyan
156.P.Murugan
157.M.Ananthan
158.K.Ramesh
159.S.Saravanan
160.M.Senthilkannan
161.K.Senthilnathan
162.T.Sundararajan
163.V.Veerapandian
164.B.Mani
165.V.Sanmugam
166.K.Sendilmurugan
167.A.Ganeshkumar
168.B.Mani
169.M.Radjou
170.J.Ramamurthi
171.M.Arunan
172.K.Elumalai
173.D.Kandhan
174.R.Mohan
175.D.Palanisamy
176.E.Perumal
177.J.Sivakumar
178.K.Suresh
179.V.Anbazhagan
180.S.Ramalingam
181.A.Amanullah
182.S.Vedhagiri



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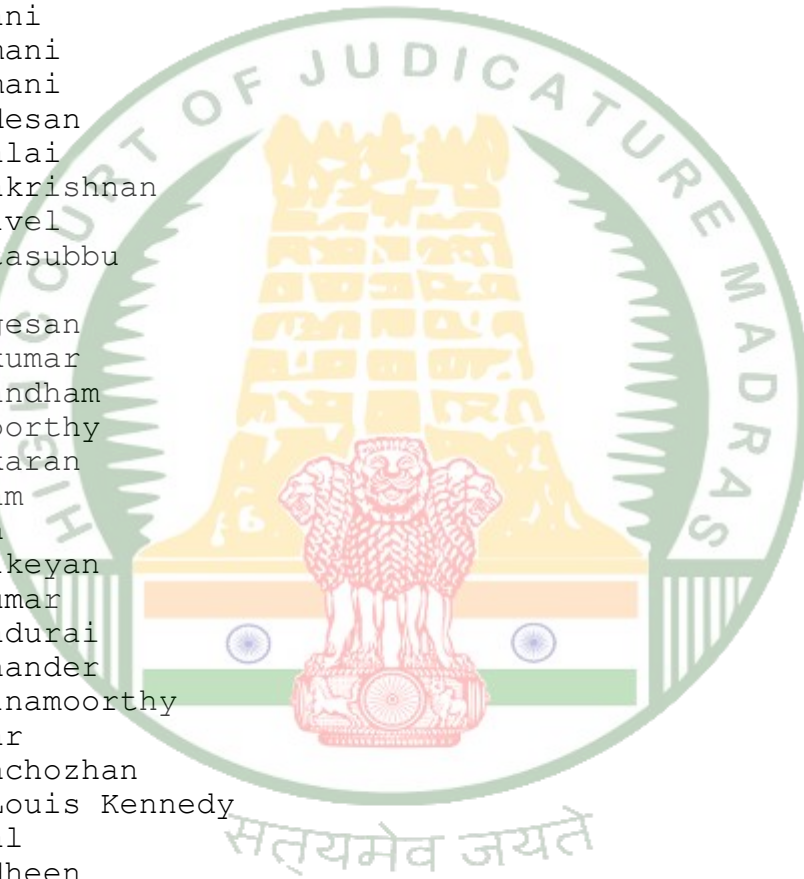
183.K.Alexander
184.A.Elango
185.R.Jayaraj
186.N.Mayakrishnan
187.M.Murugan
188.S.Murugan
189.S.Prabaharan
190.S.Ramesh
191.K.Senthilvelan
192.M.Subramanian
193.V.K.Anbalagan
194.R.Ravi
195.V.Vissouvanadan
196.E.Ambrose Samidoure
197.D.Aroumougam
198.A.Dhanasekaran
199.P.Rajendran
200.K.Ramesh Babu
201.L.Sivakumar
202.R.Gnanavel
203.D.Gurumoorthy
204.R.Kumaresan
205.P.Mandjiny
206.C.Sakthivel
207.S.Selvaraj
208.E.Tamizhmani
209.S.James
210.K.Asokan
211.S.Gnanasekaran
212.R.Joseph Raju
213.G.Parasuraman
214.K.Saravanan
215.S.Umasankar
216.E.Ramesh
217.N.Pramod
218.L.Balasoubramanian
219.K.Kamalakannan
220.A.Naveethakannan
221.S.Mourouguessane
222.S.Selvaradjou
223.V.Selvanayagam
224.D.Sugu
225.S.Suresh
226.G.Thiruvukarasu
227.P.Adiamane
228.P.N.R.Selvasekar
229.D.Vincent De Paul
230.M.Kandhasamy
231.V.Saravanan
232.K.Selvam



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233.R.Arul
234.S.Ayanare
235.A.Chanbatcha
236.R.Devanathan
237.S.Elias
238.R.Lakshmanasamy
239.K.Makesh
240.S.Murugaiyan
241.A.G.Murugan
242.D.Purushothaman
243.A.Rajaram
244.B.Saravanan
245.K.Sivamani
246.R.Veeramani
247.S.Veeramani
248.M.Vengadesan
249.G.Ezhumalai
250.B.Gopalakrishnan
251.M.Palanivel
252.K.Venkatasubbu
253.O.Babu
254.K.Venkagesan
255.Senthilkumar
256.M.Sivanandham
257.S.Sivamoorthy
258.R.Prabakaran
259.S.Rajaram
260.A.Suresh
261.R.Karthikeyan
262.K.Sivakumar
263.R.Thangadurai
264.P.Balachander
265.R.Dhashinamoorthy
266.K.Iyyanar
267.G.Pugazhchozhan
268.L.John Louis Kennedy
269.D.Perumal
270.A.Thajudheen
271.S.Sureshkumar
272.S.Rajesh
273.P.Canabady
274.S.Gobi
275.A.S.Sankar
276.M.Sendilcoumar
277.T.Sasikumar
278.S.Ashok

(Respondents 2 to 278 represented
by Duraimurugan
President Hindusthan Unilever
Employees Union



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25, Bharathi Street,
Uthiravaganipet, Villanur Post,
Puducherry 605 110.

.. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorari calling for the records from the file of the first respondent in C.P.No.4 of 2011 and quash the order dated 02.01.2013.

For Petitioner : Mr.S.Jayaraman
For R2 : Mr.P.R.Thiruneelakandan

For Respondent Nos.3 to 6, 9,12
13 to 16, 20, 21, 22, 25 to 27, 31,
33, 34 to 36, 38, 41, 43, 44, 46 to 49,
51, 53, 56, 57, 61, 63, 64, 67, 68, 71,
83, 85, 86, 88, 92, 98, 99, 103, 105, 108,
112, 119, 121 to 123, 125, 129, 136, 137,
: No Appearance
139, 143, 147, 155, 157, 162, 166, 169,
171, 174, 176, 179, 181, 182, 183, 184
186, 187, 190 to 192, 195, 196,
198, 200, 202 to 204, 208, 210, 229, 231,
233 to 235, 237, 240, 245, 247 to 249,
252 to 256, 263 to 265, 268, 270, 271,
274, 275, 277, 278

For Respondent Nos.7, 8, 10, 11, 17 to 19,
23, 24, 28 to 32, 37, 39, 40, 42, 45, 50, 52,
54, 55, 58 to 60, 62, 65, 66, 69, 70, 72 to 82,
84, 87, 89 to 91, 93 to 97, 100 to 102, 104,
106, 107, 109 to 111, 113 to 118, 120, 124,
126 to 128, 130 to 135, 138, 140 to 142,
144 o 146, 148 to 154, 156, 158 to 161,
163 to 165, 167, 168, 170, 172, 173, 175, 177,
: Mr.Balan Haridos
178, 180, 185, 188, 189, 193, 194, 197, 199,
201, 205 to 207, 209, 211 to 228, 230, 232,
236, 238, 239, 241 to 244, 246, 250, 251, 257, 258,
260 to 262, 266, 267, 269, 272, 273 & 276

O R D E R

Pending the writ petition, the petitioner and the respondents-workmen have entered into an amicable settlement dated 28.08.2016 and Part-C (7) of the Memorandum of Settlement

reads as follows:

7. REST DAY WAGE - ONE TIME PAYMENT :

The parties herein acknowledge and agree that by this Settlement, the basic wage scale shall move from daily rated to monthly rated. Given this migration and that in the past settlements the basic wage paid to the employees has exceeded the minimum wages as specified bearing number W.P.Nos.20216 and 21514 of 2013 and Claim Petition No.4 of 2011, instituted by the parties. As a part of the settlement of the aforementioned matters before the High court of Madras and the Industrial Tribunal, Pondicherry, without any prejudice to the rights available under law, the Management has agreed to pay a lump sum amount to the employees as specified in Annexure-F, being the full and final settlement of the claims made before the High court of Madras and the Industrial Tribunal. In compliance of the interim order passed by the High Court of Madras in W.P.No.20216 of 2013, a payment of Rs.10830/- has already been dispersed, and therefore, the final settlement amount payable will be as specified in Annexure-F. Reciprocally, the Union and the employees agree to withdraw the Claim Petition No.4 of 2011, W.P.No.20216 of 2013 & W.P.No.21514 of 2013 and other suits/writ petitions pertaining to the matter with the signing of this Settlement. This shall be the full and final settlement of the disputes pertaining to the aforementioned matters and the Union and the employees undertake not to agitate the issue in these matters favour.

Recording the aforesaid clause of the Memorandum of Settlement, this writ petition is closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

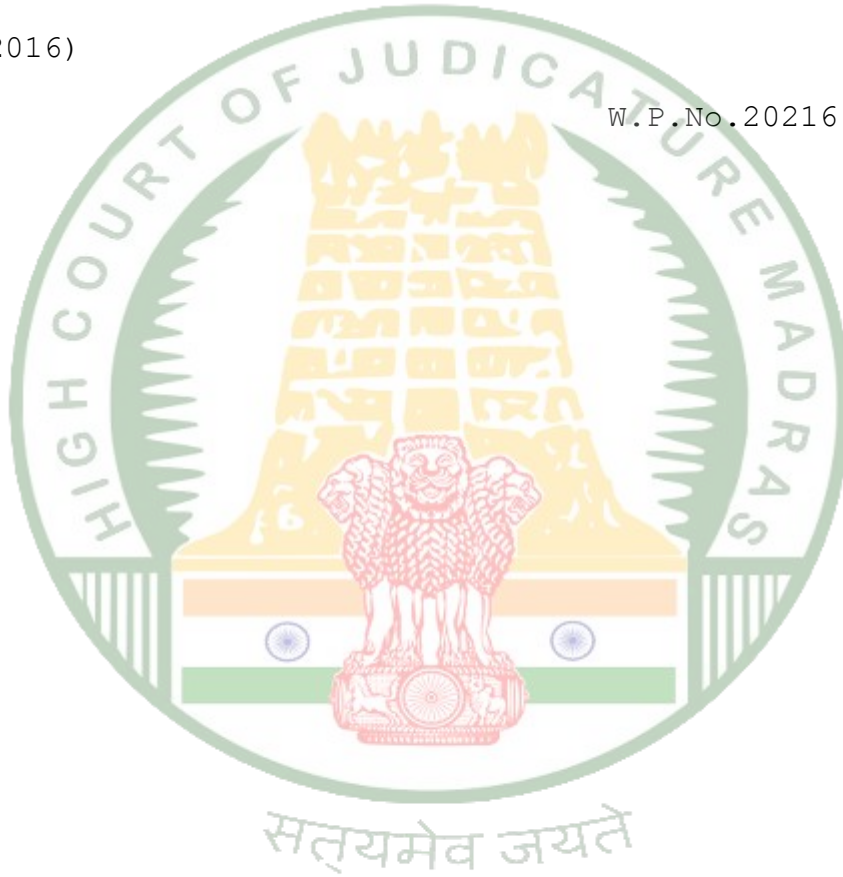
To

The Presiding Officer,
Labour Court, Puducherry.

+1cc to Mr.Balan Haridas, Advocate, S.R.No.66081
+1cc to Mr.S. Jayaraman, Advocate, S.R.No.66091

ca (CO)
md(30/12/2016)

W.P.No.20216 of 2013



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