

IN THE HIGH COURT OF JUDICATURE AT MADRAS

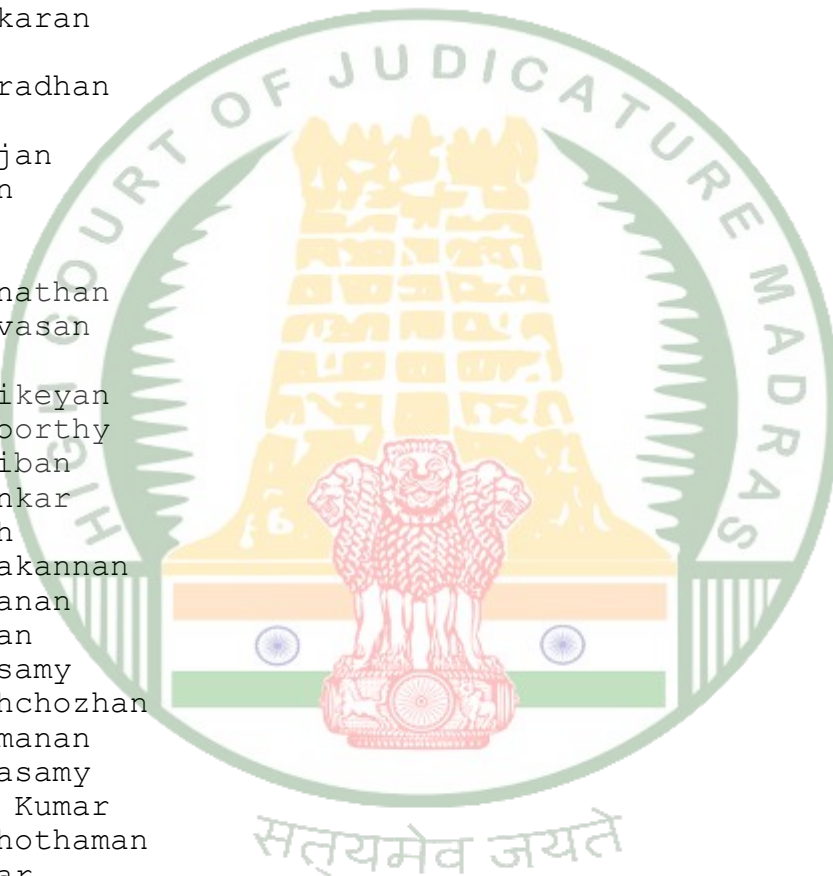
DATED 16.11.2016

CORAM

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

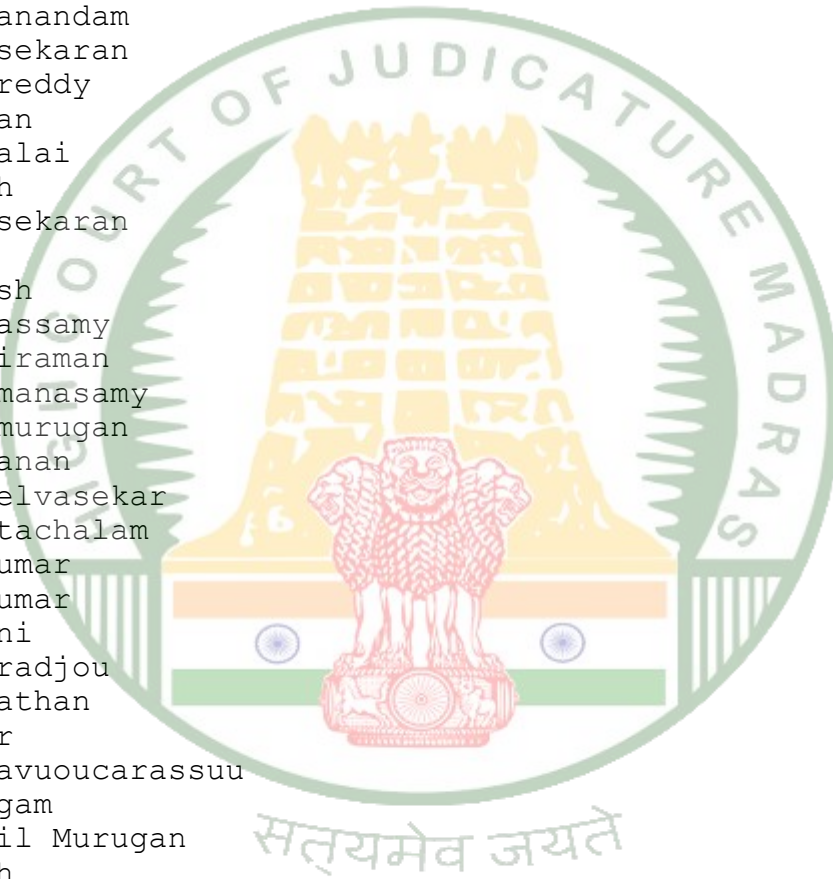
W.P.No.21514 of 2013

- 1.R.Venkatesan
- 2.S.Ayyanar
- 3.S.Prabhakaran
- 4.B.Mani
- 5.P.kalivaradhan
- 6.S.Baskar
- 7.A.Natarajan
- 8.M.Murugan
- 9.S.James
- 10.E.Muthu
- 11.V.Viswanathan
- 12.N.Srinivasan
- 13.D.Sugu
- 14.R.karthikeyan
- 15.S.Sivamoorthy
- 16.R.Parthiban
- 17.S.Umasankar
- 18.A.Suresh
- 19.K.Kamalakannan
- 20.B.Saravanan
- 21.K.Kesavan
- 22.K.Kuppusamy
- 23.G.Pugazhchozhan
- 24.R.Lekshmanan
- 25.M.Kandhasamy
- 26.P.Sunil Kumar
- 27.D.Purushothaman
- 28.K.Iyyanar
- 29.T.Santhanam
- 30.P.Ilango
- 31.S.Mourougan
- 32.P. Mourougan
- 33.J.Sivaraj
- 34.V.Selva Vijayagan
- 35.K.Sivakumar
- 36.A.Kumaresan
- 37.S.Thamaraikannan
- 38.P.Murugan
- 39.S.Sankar
- 40.R.Suresh



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41.R.Gnanaprakash
42.P.Murugaiyan
43.D.Kandhan
44.D.Kandeeban
45.K.Ayupkhan
46.S.Selvaraj
47.D.Gurumoorthy
48.M.Thulasingham
49.M.Palanivel
50.D.Arumougam
51.R.Thulasidharan
52.K.Azhaganandam
53.K.Muruganandam
54.S.Gnanasekaran
55.J.Kondareddy
56.S.Ganesan
57.K. Elumalai
58.S.Ramesh
59.D.Veerasekaran
60.R.Mohan
61.N.Prakash
62.P.Comarassamy
63.B.Janakiraman
64.R.Lakshmanasamy
65.P.Thirumurugan
66.R.Saravanan
67.P.N.r.Selvasekar
68.K.Venkatachalam
69.M.Jayakumar
70.J.Sivakumar
71.P.Manjini
72.S.Selvaradjou
73.V.Loganathan
74.S.Baskar
75.G.Tirunavuoucarassuu
76.K.Arumugam
77.K.Senthil Murugan
78.K.Suresh
79.P.Murugan
80.R.Mariappan
81.D.Sudhagar
82.M.Rameche
83.A.Rajaram
84.M.Senthil Kannan
85.B.Kumar
86.J.Ramamurthi
87.S.Souresh
88.K.Saravanan
89.Devanathan.R.
90.S.Suresh



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91.D.Nataradjane
92.K.Kumaran
93.S.Ramalingam
94.S.Jayakumar
95.G.Kangeyan
96.K.Senthilnathan
97.S.Muthuvel
98.T.Rameche
99.A.Kumarasamy
100.P.Canabady
101.K.Makesh
102.D.Perumal
103.P.Adiamane
104.M.Neelakandan
105.S.Rajaraman
106.R.Gnanavel
107.R.Sekar
108.M.Sivakozhundan

C/o.Hindustan Unilever Workers Union
No.135, Puduvai Main Road,
(Near Ramalingam Madam)
Ariyur Post, Puducherry 605 102.

... Petitioners

Vs

1.The Presiding Officer,
Labour Court, Puducherry.
2.Factory Manager
Hindustan Unilever Limited
(Detergent Division)
Vadamangalam, Pondicherry.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the 2nd Respondent to implement the order dated 2.1.2013 in C.P.No.4 of 2011 by making the payment of Rs.1,62,63,345.70 out of Rs.4,17,12,471/- towards the weekly off wages for the period from 1996 to 2010 to the petitioners and by further directing the 2nd respondent to pay the weekly off wages for the period from 2011 onwards till date to the petitioners and by continuing to make payment till the cessation of employment of the petitioners, as payable under Section 13(1)(b) of the minimum wages Act.

For Petitioners : Mr.Balan Haridas
For R2 : Mr.S.Jayaraman

O R D E R

Pending the writ petition, the petitioners-workmen and the second respondent 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

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Sub Assistant Registrar

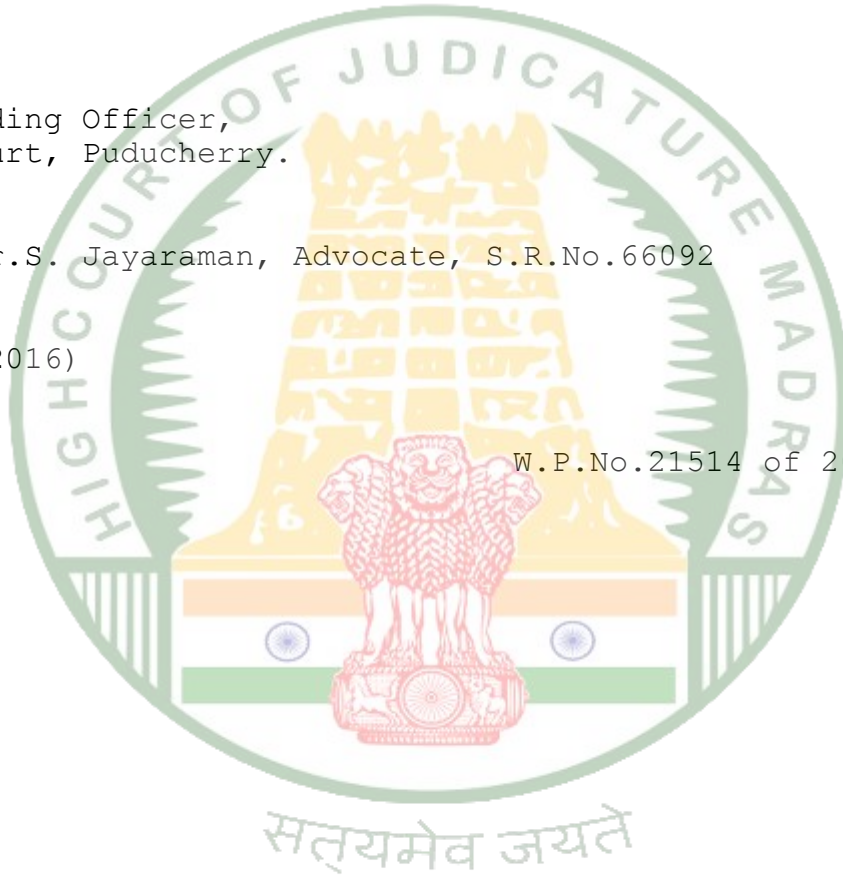
kkd

To
The Presiding Officer,
Labour Court, Puducherry.

+1cc to Mr.S. Jayaraman, Advocate, S.R.No.66092

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

W.P.No.21514 of 2013



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