

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-II organised by the High Court Legal Services Committee

Monday, the 21st day of November, 2016

LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)
Presided over by

The Hon'ble Mr. Justice T.N. VALLINAYAGAM (Retd.)

Members:

Mr. S. Ramalingam

Mrs. V. J. Latha

W.P.No.32736 of 2012

(Writ Petition is filed under Article 226 of Constitution of India praying for issuance of a Writ of Certiorari calling for the records of the first respondent in C.P.No.83 of 2009 and quash its order dated 11.08.2011.)

T.I. Cycles of India,
Ambattur, Chennai 600 053

Rep. by its President.

...Petitioner

/vs/

1. The Presiding Officer,
1st Additional Labour Court,
Chennai.

2. G. Perumal

3. P. S. James

4. P. R. Shanmugam

5. C. Vellaichamy

6. S. Thirugnanasambandam

7. K. S. Karupiah

...Respondents

This case is taken up for settlement before this Forum. Petitioner and respondents 3, 6 and 7 are present. Mr. T. S. Gopalan and Co. Learned counsel appearing for the petitioner and Mr. V. Chockalingam, learned counsel appearing for the respondents 2 to 7. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:

AWARD

The writ petition is against the award passed by the Labour Court.

2. There are six party respondents i.e. from respondents 2 to 7, who were the workers of the petitioner's Company. Now, it is represented that except the 2nd respondent G.Perumal and the 5th respondent C.Vellaichamy, other four respondents died.

3. The 2nd respondent G.Perumal, the 5th respondent C.Vellaichamy have been paid their dues, by order of this Forum dated 04.11.2016.

4. Now, both the parties have filed a Memorandum of Settlement reached under Section 18(1) of the Industrial Disputes Act, 1947. Out of the six respondents, the respondents 2 and 5 are alive and the respondents 3, 4, 6, and 7 are dead.

5. The legal representative of the deceased 3rd respondent P.S.James, viz., J.R.Vedaranjini and Allan Christopher, who are wife and son of the deceased 3rd respondent, are brought on record and the dues of Rs.81,803/- (Rupees eighty one thousand eight hundred and three only) is paid towards full and final settlement of all claims of the third respondent P.S.James, by way of Cheque, bearing No.234615, dated 05.10.2016, drawn on HSBC Bank, Cathedral Road, Chennai-86.

6. The legal representative of the deceased 6th respondent S.Thirugnanasambandam viz., S.Santha Bai, Gowri, R.Malathi, who are wife and daughters of the deceased 6th respondent are brought on record and the dues of Rs.1,05,716/- (Rupees one lakh, five thousand seven hundred and sixteen only) is paid towards full and final settlement of all claims of the 6th respondent by way of Cheque bearing No.234613, dated 05.10.2016 drawn at HSBC Bank, Cathedral Road, Chennai-86.

7. The legal representative of the deceased 7th respondent K.S.Karuppiah, viz., K.Adaikammai, K.Mallika, K.Shanthi Meena, K.Jaiganesh, K.Ramesh and K.Suresh, who are the wife, daughters and sons of the deceased 7th respondent are brought on record and the dues of Rs.1,01,766/- (Rupees one lakh one thousand seven hundred and sixty six only) is paid towards full and final settlement of all claims of the 7th respondent by way of Cheque bearing No.234614 dated 05.10.2016 drawn at HSBC Bank, Cathedral Bank, Chennai-86. The parties have received their dues as per the terms of settlement.

8. So far as the deceased 4th respondent P.R.Shanmugam is concerned, though his legal representatives are in foreign country. However, the petitioner is ready and willing to settle his dues. For the time being, the 4th respondent (since

deceased) is given up by the petitioner. It is open to the legal representatives of the 4th respondent to come forward to claim his dues.

9.The award is passed recording the terms of settlement. Memorandum of Settlement shall form part of the award. The signatures of the parties in the award are dispensed with. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/- Counsel for the petitioner Sd/- Counsel for the respondents 2 to 7

Sd/- Judge
Sd/- Member Sd/- Member
Sd/- Assistant Registrar(CS V)
//True Copy//
Sub Assistant Registrar

To
The Parties/Advocate concerned
Copy to:

- 1.The Presiding Officer, 1st Additional Labour Court, Chennai.
- 2.The Secretary, High Court Legal Services Committee, Chennai.
- 3.The Section Officer, V.R.Section, High Court, Madras.
- 4.The Section Officer, Lok Adalat Section, High Court, Madras.

+2cc

SK(CO)
RS (23/01/2017)

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