

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.09.2017

CORAM

THE HONOURABLE MR. JUSTICE V.PARTHIBAN

W.P.Nos.8611 and 20151 of 2013

The Managing Director,
Chettinad Cement Corporation Ltd.,
Rani Seethai Building,
603, Anna Salai, Chennai - 6. .. Petitioner in
W.P.No.8611 of 2013

M.R.Ellis .. Petitioner in
W.P.No.20151 of 2013

Vs.

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

2.M.R.Ellis .. Respondents in
W.P.No.8611 of 2013

1.Managing Director,
Chettinad Cement Corporation Ltd.,
Rani Seethai Building,
603, Anna Salai, Chennai - 6.

2.The Presiding Officer,
I Additional Labour Court,
Chennai. .. Respondents in
W.P.No.20151 of 2013

W.P.No.8611 of 2013: Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of certiorari to call for the records of the first respondent in C.P.No.186 of 2005 and quash the order dated 15.12.2012.

W.P.No.20151 of 2013: Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of certiorarified mandamus to call for the concerned records from the second respondent/I Additional Labour Court, Chennai, relating to the order dated 15.12.2012 in C.P.No.186/2005 quash

the same insofar as it has computed the benefit due to the petitioner only at Rs.2,23,000/- and substitute the computation at Rs.3,47,800/- and to issue consequential direction and award costs.

For Petitioner .. Mr.Anand
for Mr.T.S.Gopalan & Co.,
in W.P.No.8611 of 2013

Mr.N.G.R.Prasad
for M/s.Row and Reddy
in W.P.No.20151 of 2013

For Respondents.. Mr.N.G.R.Prasad for
M/s.Row and Reddy for R2
R1 - Court
in W.P.No.8611 of 2013

Mr.Anand
for Mr.T.S.Gopalan & Co., for R1
R2 - Court
in W.P.No.20151 of 2013

COMMON ORDER

There are two writ petitions one by the management and another by the workman filed before this Court. When the matter is taken up for hearing, the management and the workman had reached a settlement in and by which a joint memo dated 07.09.2017 has been filed to that effect before this Court. The joint memo reads as under:

"The employee concerned in the writ petitions had filed a claim petition seeking various monetary benefits. The Labour Court passed an order in the C.P.No.186/2005. Challenging the order both the management and the workman have filed the above writ petitions. Both the parties have arrived at a settlement. It has been agreed that the employee will withdraw the amount deposited by the management pursuant to the interim orders of the court along with interest, on the understanding that she shall have no other claim against the management for any monetary sum, contractually or statutorily for the period she was in service and that she has no other claim against the Management. Both the parties pray that this memo may be taken on record and writ petitions be disposed of recording this joint memo."

2. In view of the joint memo filed before this Court signed by the learned counsel for the management and the workman, both the writ petitions are closed as the issues do not call for any adjudication in view of the settlement between the parties. The joint memo dated 07.09.2017 shall form part of the order. The first respondent Labour Court is directed to release payment lying in deposit to the workman along with interest within a period of two weeks from the date of receipt of a copy of this order. No costs.

(Xerox copy of memo of compromise is enclosed)

Sd/-
Assistant Registrar (CS III)

//True Copy//

Sub Assistant Registrar

mmi

To

The Presiding Officer,
I Additional Labour Court,
Chennai.

+1cc to M/S.T.S.Gopalan & CO, Advocate SR. 64843

+1cc to M/S.Raw & Reddy, Advocate Sr. 65101

सत्यमेव जयते

W.P.Nos.8611 and 20151 of
2013

NRJK (CO)
VR (06/11/2017)

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