

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE S.MANIKUMAR
and
THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD

W.A.No.1142 of 2018
and CMP No.11635 of 2018

The Manager,
The Management of DELVAC PUMPS Pvt. Ltd.,
AC, 17A, SIDCO Industrial Estate,
Thirumudivakkam,
Chennai - 44 ... Appellant/Petitioner

versus

1. R.Dhandpani
2. The Presiding Officer,
Principal Labour Court, Chennai. ... Respondents/ Respondents

Writ Appeal filed against the order dated 01.02.2016 in
W.P.No.14800 of 2013.

W.P.No14800/13 : Filed under Article 226 of the Constitution of
India to call for the records of the award of the 2nd respondent
in I.D.No.610 of 2006 dated 7th November 2012 which was received
the same on 15.5.2013 and quash the same.

For Appellant : Mr.A.R.Nixon

For Respondents : Mr.R.Jaikumar (for R1)
R2-Labour Court
JUDGMENT

(Order of the Court was delivered by S.MANIKUMAR, J.)

Award in ID No.610 of 2006 dated 07.11.2012, on the file of
Principal Labour Court, Chennai, was challenged in WP No.14800
of 2013. Writ Court has confirmed the award.

2. Being aggrieved, Manager, DELVAC PUMPS Private Limited,
Chennai, has filed the instant writ appeal. While entertaining
the appeal, Hon'ble Bench, vide order dated 14.06.2018, directed

the appellant to deposit a sum of Rs.3,00,000/- before the forum concerned. Lateron, time has been extended.

3. On this day, when the writ appeal came up for further hearing, learned counsel appearing for both parties submitted that the dispute between the workman and management, has been amicably settled. A Joint Memo dated 24.08.2018, signed by the learned counsel for the parties, has been filed. Joint Memo shall be treated as part of record. Joint Memo dated 24.04.2018, reads thus.

"JOINT MEMO

It is submitted that the above said W.A. being No.1142 of 2018 filed by the Management against the order dated 01.02.2016 in W.P.No.14800 of 2013 were in award dated 07.11.2012 passed in I.D.No.610 of 2006 was confirmed by this Hon'ble Court.

In view of the Interim order passed by this Hon'ble Division bench, the management on first instance deposited the amount of Rs.3,00,000/- and the same was also withdrawn by the workman in accordance with the order passed by this Hon'ble Court.

Vide an order dated 30.07.2018 this Hon'ble Court further directed the management to deposit another sum of Rs.3,00,000/- and the management has also deposited the same in the credit of the above said I.D.

At this juncture on negotiation it was agreed by both the workman and management to settle the issue amicable, as such the management has agreed to pay a sum of Rs.5,00,000/- towards full and final settlement.

In accordance with settlement the workman has agreed to receive the above said Rs.5,00,000/-. The management has also issued a Cheque bearing No.130569 dated 4.9.2018 for an amount of Rs.2,00,000/- (Two Lakhs Only) drawn at Syndicate Bank, Kodambakkam branch and the management agreed to permit the workman to withdraw the amount of Rs.3,00,000/- lying in the court deposit (I.D.No.610 of 2006).

In view of the above, the matter has been settled out of court and the workman has received all the dues payable by the management towards full and final settlement and the employer and employee relationship got relinquished.

For the reasons stated above, this Hon'ble court may be pleased to record the same and to dispose the above W.A. in terms of settlement and thus render justice.

Dated at Chennai on this the 24th day of August 2018."

4. Placing on record the Joint Memo dated 24.08.2018, instant

writ appeal is disposed of, in terms of the settlement, stated supra. No Costs. Consequently, the connected Civil Miscellaneous Petition is closed.

(Xerox copy of Memo of Compromise attached)

Sd/-
Assistant Registrar(CS-VI)

//True copy//

Sub Assistant Registrar

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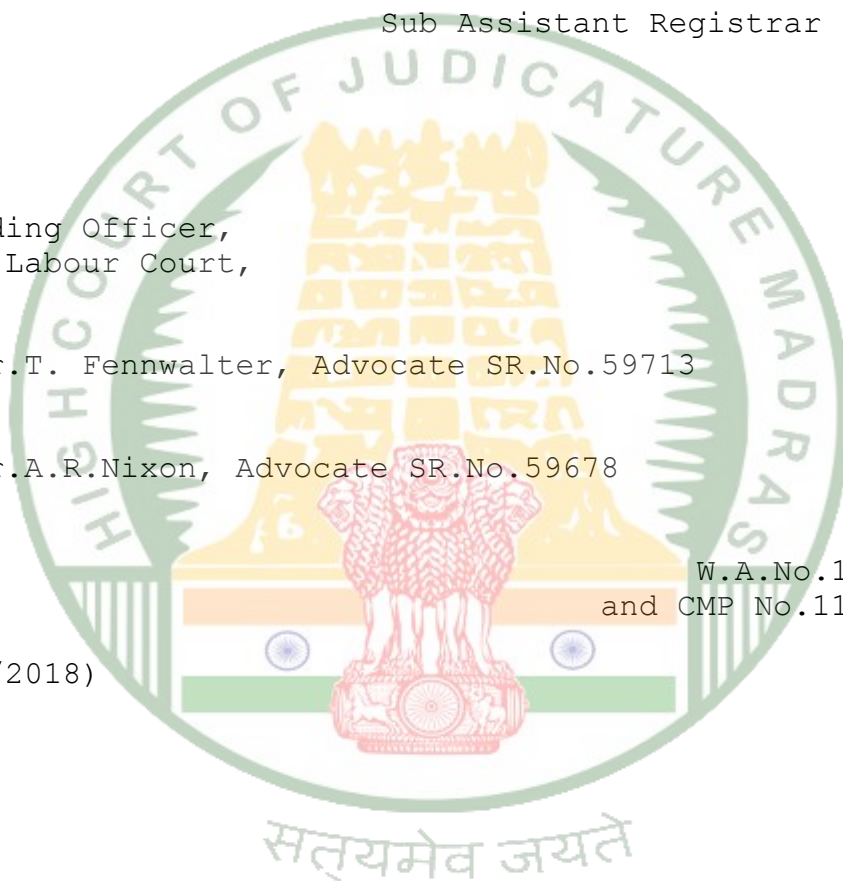
The Presiding Officer,
Principal Labour Court,
Chennai.

+1cc to Mr.T. Fennwalter, Advocate SR.No.59713

+1cc to Mr.A.R.Nixon, Advocate SR.No.59678

W.A.No.1142 of 2018
and CMP No.11635 of 2018

GMV (10/09/2018)



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