

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 12.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.23159 of 2014

& M.P.Nos.1 and 2 of 2015

M/s.Jayalakshmi Pressings Pvt Ltd
Represented by its Managing Director
C.Subramanian
Plot No. B-23, Phase-I,
SIDCO Industrial Estate,
SIPCOT, Hosur,
Krishnagiri District

.. Petitioner

Versus

1.The Presiding Officer,
Labour Court, Salem.

2.M.Krishnan

.. Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorari, call for the records relating to award passed by the first respondent herein in I.D.No.241 of 2006 dated 22.04.2014 on the file of Labour Court, Salem and set aside the same.

For Petitioner : Mr.M.R.Jothimanian

For Respondents : Mrs.S.Girija for R2

ORDER

Heard Mr.M.R.Jothimanian, learned counsel appearing for the petitioner and Mrs.S.Girija, learned counsel appearing for the second respondent.

2. This Writ Petition has been filed seeking for issuance of a writ of certiorari, calling for the records relating to the award passed by the first respondent in I.D.No.241 of 2006, dated 22.04.2014 and quash the same.

3. The parties to the proceedings, viz., the petitioner

and the second respondent workman have entered into a joint memo of compromise. The joint memo of compromise dated 27.03.2018 has been duly signed by both parties as well as their respective counsel. The terms and conditions of the said joint memo of compromise dated 27.03.2018 are as follows:

"Terms and conditions:

a) The Management/Employer agrees to pay and the workman agrees to receive a sum of Rs.7,50,000/- (Rupees Seven Lakhs and Fifty Thousand only) as the full and final settlement claim amount to give quietus to the entire issues involving the cases viz., Contempt petition No.1427 of 2017 and M.P.No.23159 of 2014 pending before this Hon'ble Court.

b) The employer has agreed to settle the claim amount viz., Rs.7,50,000/- in three instalments viz.,

1) Rs.3,00,000/- (Rupees Three Lakhs only) as 1st installment to be paid on 28.03.2018;

2) Rs.2,50,000/- (Rupees Two lakhs and fifty thousand only) as 2nd installment to be paid on 08.06.2018; and

3) Rs.2,00,000/- (Rupees Two lakhs only) as 3rd installment to be paid on 10.07.2018. The petitioner workman has also agreed to receive the settlement amount to be paid on the due dates mentioned above.

c) In case of contravention/non-compliance of any of the above terms and conditions of the agreement i.e., the payment of settlement on the due dates, it is made clear that the contempt petition No.1427 of 2017 and W.P.No.23159 of 2014 pending disposal before this Hon'ble Court shall be revived immediately without any further reference to the mediation centre."

4. In terms of the above, the petitioner has paid a sum of Rs.3,00,000/- (Rupees Three lakhs only) and the next installment is payable on or before 08.06.2018 and the third and final installment is payable on or before 10.07.2018.

5. In the light of the same, this writ petition stands disposed of in terms of the joint memo of compromise dated

27.03.2018 entered into between the parties. No costs.
Consequently, connected miscellaneous petitions are closed.

Xerox copy of Joint Memo of Compromise dated 27-03-2018 attached.

Sd/-
Assistant Registrar(CS IX)

//True copy//

Sub Assistant Registrar

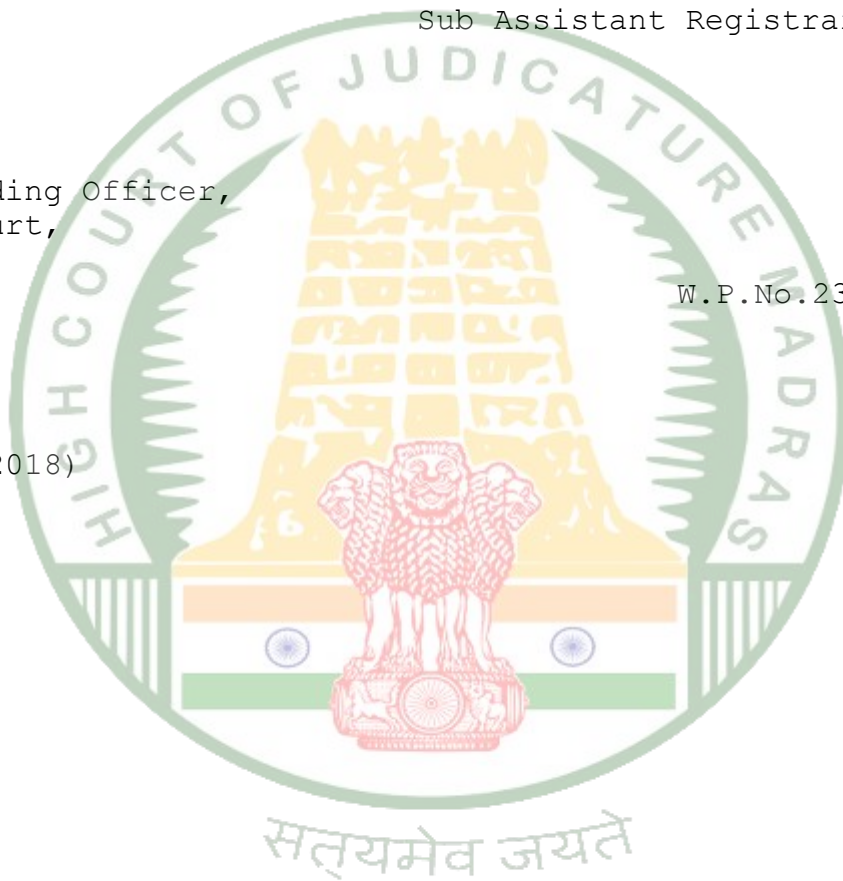
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To

The Presiding Officer,
Labour Court,
Salem.

W.P.No.23159 of 2014

SSV(CO)
GN(24/04/2018)



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