

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 14th day of September 2019

NATIONAL LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr. Justice S. VAIDYANATHAN

and

**Members: Mr.S.Ramalingam
Mr.M.Nallathambi**

W.P.No.22193 of 2013

The petition has been filed for issuance of Writ of Certiorari calling for the records of the 1st respondent in I.D.No.685 of 2001 and quash its award dated 18.04.2013.

The Management of
T.T.K.Prestige Limited,
82-85, SIPCOT Industrial Complex,
Hosur 635 126, Rep. by its
Director - Corporate Affairs.

.. Petitioner

Vs.

1.The Presiding Officer,
Labour Court, Salem.

2.P.Babu, S/o.Pandari,
5-1/36, 2nd Cross,
Jaishankar Colony,
Hosur - 635 109
Krishnagiri District.

.. Respondents

This case came up for settlement before the National Lok Adalat. **Mr.Vishnuvardhan, learned counsel for the Petitioner is present and Mr.V.Ajoy Khose, learned counsel appearing for the 2nd Respondent is present.** Parties are present. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:

TERMS OF SETTLEMENT

The Management has preferred this Writ Petition, challenging the Award of the Labour Court, Salem passed in I.D.No.685 of 2001.

2.Since both the parties have represented before the Court that there is an element of settlement in this matter, the case has been referred to for settlement before this Lok Adalat and today the parties have consented to settle the matter on the following terms:

(i)The Management has agreed to pay a sum of Rs.6,50,000/- (Rupees six lakhs and fifty thousand only), towards the full and final settlement of the entire claim of workman and the employee has no claim whatsoever on the dispute that has been decided by the Labour Court. The said sum shall be directly paid to the workman by way of Demand Draft, within a period of four weeks from the date of receipt of a copy of this order.

(ii)The amount of Rs.6,50,000/- (Rupees six lakh and fifty thousand only) will be spread over for the purpose of Income Tax in the light of the decision of the Hon'ble Supreme Court in *Sant Raj and another Vs. O.P.Singla and another* reported in (1985) 2 Supreme Court Cases 349 and *Sundaram Motors Pvt. Ltd., Vs. Ameerjan and another* reported in (1985) 1 Supreme Court Cases 118.

(iii)If any proposal has to be sent to Employees Provident Fund Organisation by the management, the management is expected to send the same to enable the workman to get PF payment, apart from pension, if any, in terms of benefit under Employees Provident Fund Act, 1952.

3.This Writ Petition is disposed of accordingly. Consequently, connected Miscellaneous Petition is closed, if any.

The Management of
T.T.K.Prestige Limited,
82-85, SIPCOT Industrial Complex,
Hosur 635 126, Rep. by its
Director - Corporate Affairs.

.. Counsel for the petitioner

P.Babu, S/o.Pandari,
5-1/36, 2nd Cross, Jaishankar Colony,
Hosur - 635 109, Krishnagiri District.

... Counsel for the 2nd Respondent

This Lok Adalat award is passed in terms of the above settlement.

The Court fee paid shall be refunded to the parties in the manner provided under the Court Fees Act, 1870 as provided for under sub Sec.1 of Section 21 r/w 25 of LSA Act 1987 as amended in 1994.

Member

Judge

Member

To :

The parties/Advocate concerned सत्यमेव जयते

Copy to:

- 1.The Labour Court, Salem.
- 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.

+2 copies

S.VAIDYANATHAN,J.

(tsg/sai)



W.P.No.22193 of 2013

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