

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2019

CORAM:

THE HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

W.P.No.22194 of 2013
and M.P.Nos.1 to 3 of 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. S.Srinivasan ... Respondents

PRAYER:

The Writ Petition has been filed under Article 226 of the Constitution of India, praying in the nature of Writ of Certiorari, to call for the records of the 1st respondent in I.D.No.118 of 2002 and to quash its award dated 18.04.2013.

For Petitioner : Mr.T.S.Akash
for M/s.T.S.Gopalan and Co.

For 2nd Respondent : Mr.Ajoy Khoshe

सत्यमेव जयते
O R D E R

The instant Writ Petition has been filed for the issuance of a Writ of Certiorari, to call for the records of the 1st respondent/Presiding Officer, Labour Court, Salem in I.D.No.118 of 2002 and to quash its award dated 18.04.2013.

2. When the matter is taken up for hearing today (18.02.2019), the learned counsel appearing for both parties submitted that the parties have arrived at a mutually agreeable settlement and filed a Joint Memo dated 26.05.2014 to that effect stating that the Management has agreed to pay a sum of Rs.4,53,170/- (Rupees Four lakh fifty three thousand one hundred and seventy only) to the workman/2nd respondent as full and final

settlement of the dues. The said Joint Memo reads as under:-

JOINT MEMO

1) The workman Srinivasan hereby accepts the cessation of his employment dated 16.10.2000 that he apologises for whatever that happened and also express regret of the same. However, he is not interested in reinstatement and he needs monetary assistance.

2) Workman Srinivasan is not pressing the relief granted by the award of the Labour Court dated 18.04.2013 in I.D.No.118 of 2002.

3) In consideration of clause 1 & 2, it is agreed that the management will pay and workman Srinivasan will receive a sum of Rs.4,53,170/- as per details given below in full and final settlement of his claim against the company:

Exgratia amount : Rs.4,00,000/-

Gratuity amount : Rs. 49,097/-

Encashment of privilege leave : Rs. 2,118/-

Bonus payable for
the year 1999-2000

Less: outstanding advance : Rs. 1,955/-

Total : Rs.4,53,170/-

4) On payment of the said amount, Srinivasan shall have no further claim either for employment or for any money against the company.

5) A copy of this settlement will be filed in W.P.No.22194 of 2013 and press for substitution of the award concerning workman Srinivasan by this settlement.

3. Accordingly, this Writ Petition is disposed of in terms of the settlement arrived at between the parties under

Section 18(1) of the Industrial Disputes Act, 1947. The said Joint Memo is taken on record. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

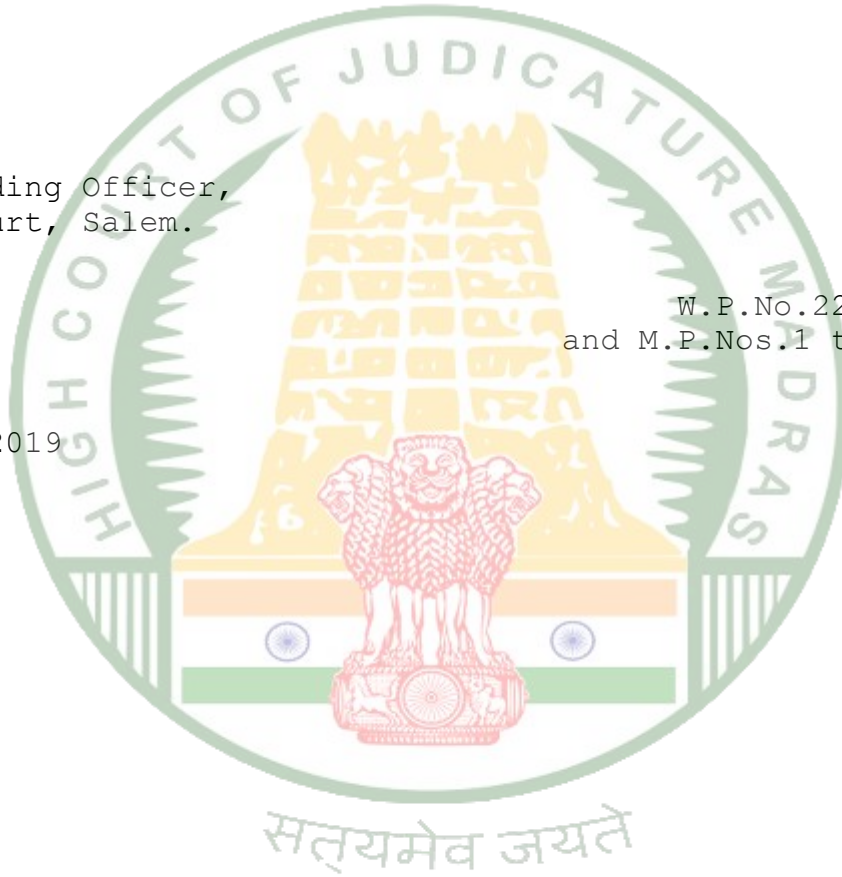
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To

The Presiding Officer,
Labour Court, Salem.

W.P.No.22194 of 2013
and M.P.Nos.1 to 3 of 2013

RSV(CO)
CS/22/02/2019



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