

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee

Thursday, the 14th day of March, 2019

LOK ADALAT ORDER

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

The Hon'ble Mr.JUSTICE MALAI SUBRAMANIAN (Retd.)
and

Members

Mr.R.ParamJothi, District Judge (Retd.)
Mr.Pa.Kadirvel

W.P.No.24496 of 2015

Writ Petition has been filed under Article 226 of the Constitution of India in the nature of Writ of Certiorari or other appropriate writ or order, call for the records in I.D.No.188 of 2011 on the file of II Additional Labour Court, Chennai the first respondent herein, quash the award dated 2.2.2015 passed therein and pas such other or further orders as this Hon'ble Court may deem fit and proper under the circumstances of this case.

The Management of Deepak Fashions
No.38/1, Bashyakaralu Naidu Street,
Kondithope, Chennai - 600 079.

... Petitioner

Vs.

1. The Presiding Officer,
II Additional Labour Court,
Madras.

2. M.Janakiraman

... Respondents

This case has been listed today and came up for settlement before the Lok Adalat. The learned counsel for the petitioner Mr.M.R.Raghavan and the learned counsel for the Respondent-2 Mr.C.Jayaprakash and Mr.P.Karthik are also present.

O R D E R

The Petition in W.P.No.24496 of 2015 pending on the file of High Court, Madras has been referred to Lok Adalat for conciliation today.

2. The Respondent was engaged as a highly skilled grade I tailor in the petitioner concern and he worked up to March 2011. Later on he was dismissed from service. The respondent approached the II Additional Labour Court, Chennai requesting for reinstatement with continuity of service and back wages. The Labour Court after considering the contentions of both sides passed an award directing the petitioner to reinstate the respondent with continuity of service and to pay back wages and other monetary benefits payable to similarly placed workmen.

2. Challenging the award, the petitioner approached the Hon'ble High Court for setting aside the Labour Court award and also prayed for stay. While admitting the petition the Hon'ble High Court was pleased to grant interim stay subject to the condition that the Petitioner Management shall deposit the back wages on or before 25.09.2015. Pursuant to the stay order, the petitioner deposited an amount of Rs.1,98,000/- towards back wages in the Labour Court.

3. The Petition was forwarded to the Lok Adalat for effective compromise between the parties. Both the parties are present and compromise talk was initiated. Both sides came to an agreement that the order of the Labour Court directing the petitioner to reinstate the Respondent in service can be confirmed and at the same time, out of the total deposited amount towards back wages, the Respondent will be paid a sum of Rs.1,70,000/- towards full quit of the back wages and the balance amount along with accrued interest, if any, shall be withdrawn by the petitioner. Accordingly decreed.

4. The Respondent is permitted to withdraw a sum of Rs.1,70,000/- out of the total amount of Rs.1,98,000/- deposited before the Labour Court and the Petitioner is permitted to withdraw the balance amount along with accrued interest if any. It is represented that the respondent filed the Execution Petition before the Labour Court and in case it is pending both sides agreed that the Execution Petition shall stand terminated. There shall be no further claim on any account by the Respondent. Award is passed accordingly.

Sd/-

The Management of Deepak Fashions
No.38/1, Bashyakaralu Naidu Street,
Kondithope, Chennai - 600 079.

Sd/-

Counsel for the petitioner

1. The Presiding Officer,
II Additional Labour Court,
Madras.

Sd/-
2. M.Janakiraman

Sd/-
Counsel for the Respondents

The full Court fee paid shall be refunded to the petitioners in the manner provided under Section 69-A of the Tamil Nadu Court-Fees and Suits Valuation Act, 1955 and 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.

Sd/-
JUDGE

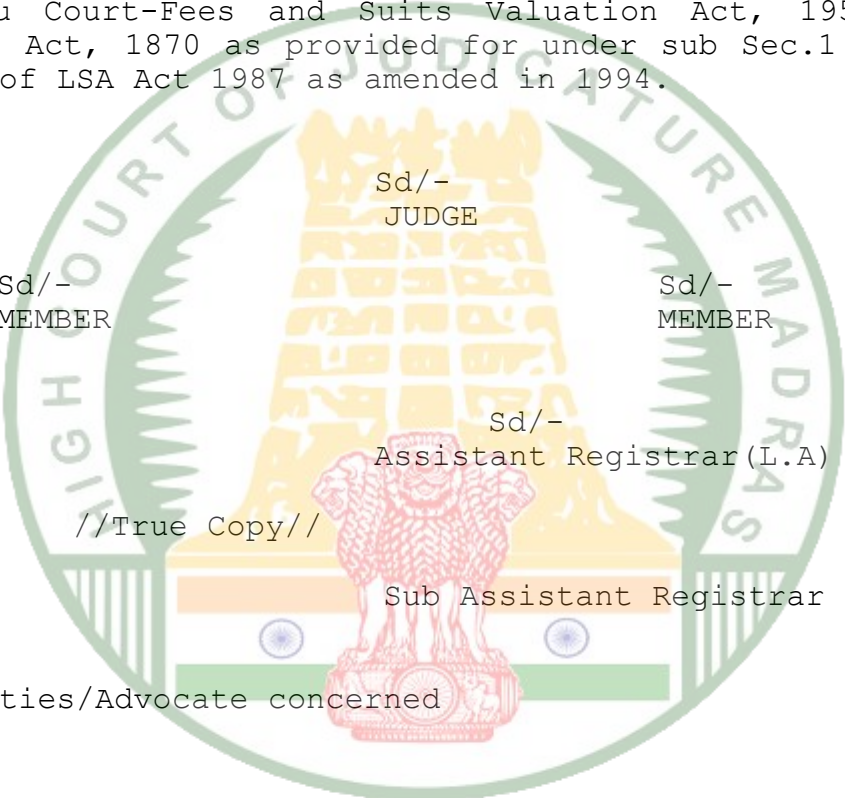
Sd/-
MEMBER

Sd/-
MEMBER

Sd/-
Assistant Registrar(L.A)

//True Copy//

Sub Assistant Registrar

The seal of the High Court of Madras is a large, circular emblem. It features a central golden temple gopuram (tower) with intricate carvings. Below the gopuram is a red lion capital of Ashoka. The entire emblem is set against a green background with a white border. The words "HIGH COURT OF MADRAS" are written in a circular path around the central image. At the bottom of the seal, there is a red rectangular stamp with the text "Sub Assistant Registrar" in black.

To: The parties/Advocate concerned

Copy to:

1. The Presiding Officer,
II Additional Labour Court,
Madras.
2. The Secretary, High Court Legal Services Committee, Chennai.
3. The Section Officer, Writ Section, High Court, Madras.
4. The Section Officer, Lok Adalat Section,
High Court, Madras. +2 copies

W.P.No.24496 of 2015

CP(CO)
CS/08/04/2019