



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.7381 to 7386 of 2011 & 30782 to 30787 of 2012
and
MP.Nos.1,1,1,1,1,1 of 2012

R.Gajapthy	...Petitioner in WP.7381/11
J.Lakshmanan	...Petitioner in WP.7382/11
A.Kalivaradhan	...Petitioner in WP.7383/11
S.Narayanan	...Petitioner in WP.7384/11
C.Mani	...Petitioner in WP.7385/11
K.Ravi	...Petitioner in WP.7386/11

The Management of
Sanco Transports Ltd.,
No.19, Moore Street,
Mannady, Chennai. ... WP.30782 to 30787/12

Vs.

1.The Presiding Officer
I Additional Labour Court,
Chennai.

2.The management
Sanco Transport Limited
No.46, Moore Street,
Chennai-600 044. ...Respondents in WP.7381 to 7386/11

The Presiding Officer,
Second Addl.,Labour Court,
City Civil Court Building,
Chennai. ...1st Respondent in
WP.30782 to 30787/12

Prayer in WP.No.7381/11 to 7386/11: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling records from the 1st respondent relating to the impugned award dated 30.01.2010 in I.D.No.622 of 2002 and quash the same and direct the 2nd respondent to reinstate the petitioner in service with full back wages, continuity of service and other attendant benefits.

Prayer in WP.30782 to 30787/12:
Writ Of certiorari direction of like nature calling for



the records of the 1st respondent relating to the award dated 30/01/2020 made in I.D.No.622 of 2002 and quash the same in so far as it relates to the grant of compensation of Rs.50,000/- to the second respondent.

WEB COPY

For Petitioner : Mr.S.Ravi
(in WP.Nos. 7381 to 7386 of 2011)

For Respondents : Labour Court (for R1)
Mr.A.S.Thambuswamy (for R2)
(in WP.Nos. 7381 to 7386 of 2011)

For Petitioner : Mr.A.S.Thambuswamy
(in WP.Nos. 30782 to 30787 of 2012)

For Respondents : Labour Court (for R1)
Mr.S.Ravi (for R2)
(in WP.Nos. 30782 to 30787 of 2012)

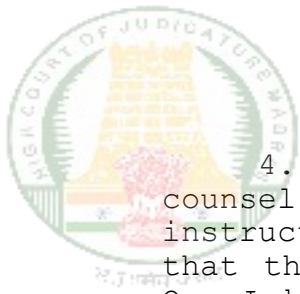
COMMON ORDER

The relief sought for in these writ petitions is to quash the award dated 30.01.2010, passed in I.D.No.622 of 2002. These writ petitions are filed by the erstwhile employees of the second respondent management and by challenging the award wherein, the Labour Court rejected the claim of the writ petitioner employees.

2. The other set of writ petitions are filed by the management challenging the very same award in respect of payment of compensation of Rs.50,000/- to the employees. Thus, two set of writ petitions are filed both by the management as well as the employees.

3. The parties to the writ petitions agreed for a settlement and after negotiation, the respective learned counsels appearing on behalf of the petitioner as well as the respondents in two batch of writ petitions made a submission that, the employees are ready to agree for the settlement of Rs.1,00,000/- (Rupees One Lakh only) each towards full and final settlement. The learned counsel appearing on behalf of the management submitted a letter dated 25.11.2019, which reads as under:-

"We accept and agree to the suggestion made by the Hon'ble High Court to settle the above Writ Petitions by payment of Rs.1,00,000/- (Rupees One Lakh only) to the each of the Six petitioners in full and final settlement of all their claims against the company and there will not be any reinstatement of the above six petitioners."



4. A copy of the letter was furnished to the learned counsel appearing on behalf of the employees also. On instructions, the learned counsel for the employees agreed that they are ready to accept a sum of Rs.1,00,000/- (Rupees One Lakh only) towards full and final settlement. In view of the said submission of the respective parties to the writ petitioners on hand, this Court is inclined to direct the management to pay a sum of Rs.1,00,000/- (Rupees One Lakh only) to each of the employee, who all are parties in these writ petitions, within a period of eight weeks from the date of receipt of a copy of this order.

5. It is made clear that in the event of failure on the part of the management to settle the amount of Rs.1,00,000/- (Rupees One Lakh only), then the employees are at liberty to restore the writ petition for adjudication. If the amounts are settled within the said period of eight weeks, then the same is to be treated as the full and final settlement for all purposes.

6. With these directions, all these writ petitions stand disposed of. No Costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Presiding Officer
I Addl. Labour Court,
Chennai.

2.The Management,
Sanco Trans Limited,
No.46, Moore Street,
Chennai 600 044.

3.The Presiding Officer,
Second Addl.Labour Court,
City Civil Court Building,
Chennai.

+1cc to M/s.A.S.Ranganathan, Advocate SR.98680

+1cc to Mr.S.Ravi, Advocate SR.99167.

W.P.Nos.7381 of 2011 & batch

RK(CO)

CB(21/01/2020)