

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 28.11.2019
CORAM
THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
W.P.No.5833 of 2014

The Management of
B.Ansar Ahamed & Sons
Thuthipattu, Ambur.

..Petitioner

Vs.

1.A.Arshad

2. The Principal Labour Court,
Vellore, Vellore District. ..Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling records of the 2nd respondent Principal Labour Court, Vellore in computation Petition No.159/2011, quash the order dated 13/09/2013.

For Petitioner : Mr.C.Franco Louis

For Respondents : Tribunal (for R2)
Mr.S.T.Varadarajulu (for R1)

ORDER

The order dated 13.09.2013, passed in Computation Petition No.159/2011 is sought to be quashed in the present writ petition. The Principal Labour Court, Vellore, passed an award allowing the claim petition under Section 33 C (2) of the I.D.Act, directing the management to pay Rs.1,75,354/- to the workmen towards arrears of wages, bonus and other allowances within two months from the date of the order passed in the claim petition, failing which it shall carry 9% interest per annum.

2. The learned counsel appearing on behalf of the first respondent / workman made a submission that the claim made in the claim petition is regarding arrears of wages, bonus and other allowances. The issues were adjudicated and the claim petition allowed in favour of the workman. The learned counsel for the writ petitioner as well as the learned counsel for the

first respondent/workman arrived a compromise stating that Rs.1,25,000/- is to be paid to the first respondent/workman as a full and final settlement and accordingly, the issues can be resolved.

3. The learned counsel for the writ petitioner / management made a submission that already the entire award amount has been deposited before the 2nd respondent / Labour Court and the first respondent may be permitted to withdraw Rs.1,25,000/- towards the full and final settlement in respect of the claim petition and the management may be permitted to withdraw the balance amount with accrued interest. In view of the compromise arrived between the parties, this Court is inclined to pass the following orders:-

i) The first respondent / workmen is permitted to withdraw Rs.1,25,000/- from the deposited amount by filing an appropriate application. The balance amount along with the accrued interest is directed to be paid to the writ petitioner management.

ii) The said exercise of disbursing the payment is to be made by the second respondent/Labour Court within a period of six weeks from the date of receipt of a copy of this order.

4. Accordingly, the writ petition stands disposed of. No Costs.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

pkn

To

The Principal Labour Court,
Vellore, Vellore District.

+2 ccs to Mr.C.Franco Louis Advocate sr99388
+1 cc to Mr.S.T.Varadarajulu Advocate sr99612

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