



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2019

CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P.(MD)No.5006 of 2010 and

M.P.(MD)No.1 of 2010

WEB COPY

Madurai Coats Private Limited,
through its Group Industrial Relation Manager,

... Petitioner

vs.

1.The Labour Court,
Tirunelveli.

2.S.Tamilselvan,
Branch Secretary,
Madurai Jilla Mill Thozhilalar Sangam,
Regd.No.2497, Ambasamudram.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, to call for the records relating to proceedings in Award passed in I.D.No.22 of 2006, dated 31.08.2009 on the file of the first respondent and quash the same as illegal.

For Petitioner	: Mr.M.P.Senthil
For R2	: Mr.J.Ashok
	for M/s.Jeyapaul Associates

ORDER

This Writ Petition is filed challenging the Award passed in I.D.No.22 of 2006, dated 31.08.2009. The petitioner herein is the Management. The second respondent is a Labour Union. Espousing the cause of a labour, an Industrial Dispute was raised by the second respondent Association. The Workman was earlier removed from service and an issue was raised by the Union. The Labour Court has passed an Award by setting aside the order of termination and directing the Management to pay salary for a period from 06.10.2004 to 13.10.2004. The claim for back wages from 20.09.2004 was specifically rejected by the Labour Court. Aggrieved by the same, the Management has preferred the above Writ Petition.

2.The learned Counsel for the petitioner submitted that during the pendency of the writ petition, there was a settlement under Section 18(1) of Industrial Dispute Act, 1947, between the Management and the representative of the Employee. As per the settlement, it appears that the Workman has agreed that he would not



raise any dispute before any Forum challenging his non-employment or in relation to any other matter against the Management. The acceptance of termination was in lieu of Management agreeing to pay a sum of Rs.8,03,587.98/-, under various heads.

3. In view of the settlement, the second respondent is supposed to concede to the prayer in the writ petition. Accordingly, the award of Labour Court in I.D.No.22 of 2006 cannot stand. Recording the settlement, dated 25.06.2015, this writ petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (P AND A)

// True Copy //

Sub Assistant Registrar (CS)

cmr

To
The Judge,
Labour Court,
Tirunelveli.

+1 CC to M/s.M.P.SENTHIL, Advocate (SR-87666[F] dated 19/09/2019)

W.P. (MD) No. 5006 of 2010
18.09.2019

_KK/SAR/15.10.2019/2P-3C/