



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 19.08.2019
CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU
AND
THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

**W.A(MD)NOS.1161 and 1162 OF 2018
and
C.M.P(MD)Nos.8347 and 8348 of 2018**

The Management,
M/s.Sri Lakshmi Spinners (P) Limited,
No.1/352, Madurai Road,
Virudhunagar.

: Appellant/Petitioner in both
Writ Appeals

.vs.

Solaippan (died)

1.S.Palanisammal
2.R.Rajalakshmi
3.S.Sivaperumal

: Respondents/Respondents 2 to 4
in W.A(MD)No.1161 of 2018

M.Sankarapandi

: Respondent/Respondent in
W.A(MD)No.1162 of 2018

COMMON PRAYER: Writ Appeals filed under Clause 15 of the Letters Patent praying this Court to set aside the common order passed by this Court in W.P(MD)Nos.14790 and 14791 of 2017, dated 28.02.2018.

Prayer in WP(MD). 14790/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorari calling for the records pertaining to the impugned order passed by the Labour Court, Madurai in Claim Petition No.17 of 2013, dated 09.12.2016 and quash the same.

Prayer in WP(MD). 14791/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of certiorari direction particularly in the nature of writ, calling for the records particularly in the nature of writ, calling for the records pertaining to the impugned order passed by the labour court, Madurai in claim petition No.18 of 2013, dated 09.12.2016 and quash the same.



For Appellant
in both W.As'
For Respondent/s
in both W.As'

: Mr.R.Subramanian
: Mr.I.Suthakaran

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COMMON JUDGMENT

[Judgment of the Court was made by **K.RAVICHANDRABAABU, J.**]

Both these Writ Appeals are filed challenging the common order passed by the Writ Court in W.P(MD)Nos.14790 and 14791 of 2017, dated 28.2.2018.

2.The above Writ Petitions were filed by the appellant/Management challenging the common order passed in Claim Petition Nos.17 and 18 of 2013, dated 9.12.2016 by the Labour Court, Madurai.

3.Those Claim Petitions were filed before the Labour Court, Madurai by the respective workmen under Section33(C)2 of the Industrial Disputes Act, 1947. The Writ Court after hearing both parties and finding that the Labour Court has rightly allowed the Claim Petitions, dismissed both the Writ Petitions.

4.When the matters were taken up on 8.8.2019, the learned counsel appearing for the appellant/Management fairly submitted before this Court that though the Writ Petitions were filed challenging the order of the Writ Court, he has advised the appellant/Management to settle the issue. Accordingly, he sought for a week's time to report settlement. Thus, these appeals are posted today before this Court for reporting settlement.

5.The learned counsel for the appellant/Management today filed separate memos in both the Writ Appeals, which reads as follows:

W.P (MD) No.1161 of 2018

MEMO FILED BY THE APPELLANT

The appellant begs to submit that it has paid the amount of Rs.1,48,800/- awarded by the lower Court to Solaippan(died) as mentioned in Labour Court, Madurai in C.P.No.17 of 2013 to the above named respondents 1 to 3 at the rate of Rs.49,600/- each by means of Demand Draft Nos.691470, 691471 and 691472, dated 14.08.2019 and in full settlement of the claim. The Counsel for the respondents has acknowledge the receipt of the Demand Drafts.

W.P (MD) No.1162 of 2018

<https://hcservices.ecourts.gov.in/hcservices/>

MEMO FILED BY THE APPELLANT

The appellant begs to submit that it has paid the



amount of Rs.1,70,004/- awarded by the lower Court to Solaippan(died) as mentioned in Labour Court, Madurai in C.P.No.18 of 2013 to the above named respondent by means of Demand Draft No.691473, dated 14.08.2019 and in full settlement of the claim. The Counsel for the respondent has acknowledge the receipt of the Demand Draft.

6.The learned counsel appearing for the respondent/s submitted that the matter has been settled between the parties as the management has paid the amount referred to in the memos to the respective respondent/s. Therefore the learned counsels submitted that both the Writ Appeals may be disposed of in view of the settlement arrived at between the parties as stated supra.

7.Considering the above-stated facts and circumstances and in view of the settlement arrived at between the parties as stated supra, both these Writ Appeals are disposed of accordingly. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To
The Judge,
Labour Court,
Madurai

+1 CC to Mr.I.SUTHAKARAN, Advocate (SR-82244[F] dated 19/08/2019)
+1 CC to Mr.R.SUBRAMANIAN, Advocate (SR-82327[F] dated 20/08/2019)

COMMON JUDGMENT MADE IN
W.A(MD)NOS.1161 and 1162 OF 2018
and
C.M.P(MD)Nos.8347 and 8348 of 2018
19.08.2019

vsn

MK (30.08.2019) 3P 4C