

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Tuesday, the Tenth day of March Two Thousand Twenty

PRESENT

THE HON`BLE MR JUSTICE M. GOVINDARAJ

WPMP No.46 of 2015
IN WP.NO.6240 OF 1998

1 MARY MATHEW, [PETITIONER]
5, THIRU NAGAR, 1ST STREET, VADAPALANI,
CHENNAI-26.

Vs

1 MANAGEMENT, [RESPONDENT]
HOTEL AMBASSADOR PALLAVA, REP. BY ITS
MANAGING DIRECTOR, 53, MONTIETH ROAD,
CHENNAI-8.

2 THE PRESIDING OFFICER,
LABOUR COURT, MADRAS.

**3 THE INDIAN BANK, MADRAS HIGH
COURT BRANCH, CHENNAI.104.**

**R3-SUO MOTU IMPLEADED
AS PER ORDER DT.08.11.2017 BY MSJ IN WMP.46/2015
IN WP.6240/1998**

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Direct the 1st Respondent Management to pay a sum of Rs.1,10,000/- in cash and allow them to withdraw the amount lying to the credit of I.D.No.163/1988 IN WMP.NO.46 OF 2015

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.V.AJOY KHOSE, Advocate for the petitioner and of M/S.J.JAMES ADVOCATE FOR 1ST Respondent and of M/S.RITA CHANDRSEKARAN, ADVOCATE on behalf of the 3RD Respondents the court made the following order:-

The learned counsel appearing for both sides submits that they have reached a mutually agreeable settlement before the Mediation Centre, High Court, Madras. As per the settlement, management agreed to pay a sum of Rs.3,50,000/-. Out of this amount Rs.1,10,000/- has already been deposited before the Labour Court which is invested with the 3rd respondent/Indian Bank. The balance amount of Rs.2,40,000/- was directly paid to the petitioner /

employee. Now that the management is not in a position to produce the original fixed deposit receipt before the Labour Court and hence, payment out was not ordered.

2. Considering the circumstances, a direction is given to the Labour Court to withdraw the amount deposited with the 3rd respondent / Indian Bank and disburse the same to the petitioner. The Indian Bank / 3rd respondent is directed not to insist on the original fixed deposit receipt for releasing the money to the Labour Court.

The writ miscellaneous petition is disposed of with the above direction.

-sd/-

10/03/2020

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE MANAGING DIRECTOR,
MANAGEMENT,
HOTEL AMBASSADOR PALLAVA,
53, MONTIETH ROAD, CHENNAI-8.

2 THE PRESIDING OFFICER,
LABOUR COURT, MADRAS.

3 THE INDIAN BANK,
MADRAS HIGH COURT BRANCH,
CHENNAI.104.

4 THE SECTION OFFICER
ACCOUNTS SECTION, HIGH COURT MADRAS.

C.C. to M/S.V.AJOY KHOSE Advocate on payment of necessary charges

The Government Advocate, High Court, Madras - 104.

Order
in
WPMP.46/2015
in WP.NO.6240 OF 1998

Date :10/03/2020

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