

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2020

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.8112 of 2016
and
W.M.P.No.7228 of 2016

The Management of
Sri Senthil Andavar Textiles Unit-II,
S.F.No.99, Salaiyur
Naranapuram, Vadagapalayam Post,
Coimbatore - 641 107
rep. by tis Partner Mr.K.R.Selvakumar ... Petitioner

vs

1. Deputy Commissioner of Labour,
Authority Under the Minimum Wages Act,
Coimbatore - 600 018.
2. G.Malathi ... Respondents

Writ Petition filed under Article 226 of the
Constitution of India praying to issue Writ of
Certiorari to call for records relating to the Order
dated 21.09.2015 passed by the 1st respondent Court in
M.W.No.14 of 2015 and to quash the same.

For Petitioner : Mr.R.Jayaprakash

For Respondents: Mr.M.Magesh
Special Government Pleader for R1
Ms.D.Nagasila for R2

WEB COPY

ORDER

The Writ Petition is filed for the following relief:
To issue a Writ of Certiorari to call for records
relating to the Order dated 21.09.2015 passed by the 1st
respondent Court in M.W.No.14 of 2015 and to quash the
same.

2. Today, when the matter is taken up for hearing, a
joint memo dated 04.02.2020 is filed, signed by both
parties as well as their respective counsels.

3. The terms of the Joint Memo reads as follows:

"1. The above writ petition has been filed by the Petitioner to quash the Order dated 21.09.2015 passed by the 1st Respondent in M.W.No.14 of 2015.

2. The Hon'ble Court was pleased to grant interim stay on 04.03.2016 in W.M.P.No.7228 of 2016 subject to the condition that the petitioner deposits a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of M.W.No.14 of 2015, on the file of the First Respondent/Deputy Commissioner of Labour, Authority under the Minimum Wages Act, Coimbatore, within a period of six weeks from the date of receipt of a copy of this order.

3. In compliance with the above said order of this Hon'ble Court, the petitioner deposited Rs.50,000/- on 10/03/2016 before the 1st Respondent and the copy of the receipt issued by the 1st Respondent in this regard is enclosed and filed along with this Joint Memo.

4. It is submitted that during the pendency of the above Writ Petition, Petitioner and the 2nd Respondent negotiated and settled the subject matter of the writ petition amicably, out of court, on the payment of Rs.75000/- (Rupees Seventy five Thousand only) by the Petitioner to the 2nd Respondent.

5. The said payment is being made by way of Cheque Bearing No.165475 dated drawn on Indian Bank Chinniyampalayam Coimbatore and a sum of Rs.25000/- (Rupees Twenty five Thousand Only) by way of cash and in total a sum Rs.75000/- (Rupees Seventy five Thousand Only) is paid and the copy of the receipt is being filed along with this Joint Memo.

6. The 2nd Respondent has no objection for the Petitioner withdrawing the deposit amount of Rs.50,000/- and the accumulated interest lying in the credit of M.W.No.14 of 2015 on the file of the First Respondent.

In the above said circumstances, both the Petitioner and the 2nd Respondent humbly prays that this Hon'ble Court may be pleased to direct the First Respondent to refund the above said amount Rs.50,000/- the petitioner with the accrued interest.

In the light of the above, both the petitioner and the 2nd respondent also pray that this Hon'ble Court may be pleased to dispose the above Writ Petition as settled out of court and thus render justice."

4. Learned counsel appearing on either side submitted that the writ petition may be disposed of in terms of the above Joint Memo.

5. Accordingly, recording the the above said Joint Memo, the Writ Petition is disposed of in terms of the above Joint Memo. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vsi
To

The Deputy Commissioner of Labour,
Authority Under the Minimum Wages Act,
Coimbatore - 600 018.

+1cc to Mr.R.Jayaprakash , Advocate SR.No. 9806
+1 cc to Government Pleader Sr.No. 9998

W.P.No.8112 of 2016

A.SK(25/02/2020)



WEB COPY