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IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 23.08.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.37453 of 2005
and
W.M.P.No.40135 of 2005

Ariyur Sarkarai Aalai Workers Nala Sangam
(Regn.No.1213/RTU/2000)
Rep. by its President T.Gowsthavabaranan,
Son of Tirumalai, Hindu, aged 38 years,
No.10, Anandhapuram Road,
Ariyur & Post, Pondicherry

...Petitioner

Vs.

1. New Horizon Sugar Mill,
Rep. by its Managing Director,
Ariyur, Pondicherry.
2. The Commissioner of Labour,
Labour Department, Pondicherry.
3. EID Parry (India) Limited,
Rep.by its Vice-President, Dare House,
No. 234, N.S.C.Bose Road,
Chennai.
4. Indian Bank,
Rep. by its Authorised Officer,
No. 283, M.G.Road, Pondicherry.
5. Puduvai Pradesa Sarkari Aalai
Thozhilalar Sangam (RTU.606/88)
CITU, Rep. by its Vice-President,
Ariyur Post, Pondicherry.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Declaration to declare that the Compromise Memo filed in W.P.No.24834/2005 is not binding upon the members of the petitioner Union and consequently to direct the respondents 1 to 3 to pay the arrears of salaries, bonus etc. to the members of the petitioner Union



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and other similarly placed employees.

For Petitioner : Mr.V.Ajayakumar

For R1 : Mr.Venkatesan
for Gupta & Ravi

ORDER

The petitioner herein is aggrieved against a memo of compromise arrived in WP.No.24834 of 2005. Hence, he has sought for an issuance of writ of declaration to declare that the memo of compromise is binding on the members of the petitioner's Union.

2. The learned counsel for the petitioner submitted that though he had attempted to contact his parties, he does not have instructions with regard to the present status.

3. The learned counsel appearing for the first respondent submitted that pending the writ petition, the workers of the mill had approached the Labour Officer and the dispute among the workers and the management was amicably resolved through a subsequent settlement.

4. In view of the submissions made, no effective orders can be passed in the present writ petition, wherein the petitioner's Union had referred to the compromise memo, the terms of which were subsequently altered through a settlement. It is needless to point out that the settlement subsequently arrived between the workers and the management before a Conciliation Officer would be binding between the parties. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

skr/hvk



To

1. The Commissioner of Labour,
Labour Department, Pondicherry.

2. The Vice President,
EID Parry (India) Limited,
No. 234, N.S.C.Bose Road,
Chennai.

3. The Authorised Officer,
Indian Bank,
No. 283, M.G.Road, Pondicherry.

+1cc to Mr.Gupta and Ravi, Advocate, S.R.No.42142

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and
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PL(CO)
SU(20/09/2021)