



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.12.2021

CORAM

THE HON'BLE Mr. JUSTICE V.PARTHIBAN

W.P.Nos.5630, 5634, 5638, 5639 & 5640 of 2020

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| 1.S.Kamalakaran | ... Petitioner in
W.P.No.5630 of 2020 |
| 2.M.Balakrishnan | ... Petitioner in
W.P.No.5640 of 2020 |
| 3.G.Rajesh | ... Petitioner in
W.P.No.5634 of 2020 |
| 4.S.Ravindharan | ... Petitioner in
W.P.No.5638 of 2020 |
| 5.S.Kollapuri | ... Petitioner in
W.P.No.5639 of 2020 |

The Management,
M/s ToPaz Tool Company, Private Ltd,
Rep.by its Director,
No.B-6,SIDCO Industrial Estate,
Villivakkam, Chennai 49.

... Respondent in
W.P No. 5639/2020

Vs.

The Management,
Drill Jig Bushing Co. (Madras) Private Limited,
44, SIDCO Industrial Estate,
Ambattur, Chennai 600 098.

... Respondent in all
W.Ps 5630, 5634, 5638, & 5639 of 2020

Prayer in all W.Ps : Petitions filed under Article 226 of The Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records in I.D.Nos.817, 808, 822, 820, 831 of 2015 dated 31.01.2019 and quash the same in as much it denied the petitioners 50% back wages and to direct the management to pay the balance of 50% back wages which has been denied to the petitioners.

In all W.Ps



For Petitioners : Mr.S.Kumarasamy

For Respondent : Mr.R.Jayaprakash

C O M M O N O R D E R

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These writ petitions have been filed to issue a Certiorarified Mandamus, to call for the records relating to the Award dated 31.01.2019 passed by the First Additional Labour Court, Chennai in I.D.Nos.817, 808, 822, 820, 831 of 2015 and to quash the same.

2. When the matters are taken up for hearing, the learned counsel for the parties submitted a joint memos filed by the petitioners and the respondent dated 25.11.2021, reporting settlement between the parties. The contents of the joint memos are extracted hereunder:

"Joint memo filed by the petitioner and the respondent in W.P.No.5639 of 2020:

1. It is submitted that the petitioner has filed the above said writ petition against the Award dated 31.01.2019 passed by the First Additional Labour Court, Chennai in I.D.No.831 of 2015.

2. During the pendency of the above said writ petition, the petitioner approached the respondent/Management for an amicable, out of court settlement and the respondent/Management had also agreed for the same.

3. Accordingly, both the petitioner and the respondent have entered into a settlement on 25.11.2021 under Section 18(1) of the Industrial Disputes Act, 1947. The copy of the said settlement is filed before this Court along with this joint memo.

In the above said circumstances, it is prayed that this Court may be pleased to record the above said settlement dated 25.11.2021 entered into between the petitioner and the respondent under Section 18(1) of the Industrial Disputes Act, 1947 and pass an order disposing this writ petition as settled out of court in terms of the above said settlement.

Joint memo filed by the petitioner and the respondent in W.P.No.5638 of 2020:

1. It is submitted that the petitioner has filed the above said writ petition against the



Award dated 31.01.2019 passed by the First Additional Labour Court, Chennai in I.D.No.820 of 2015.

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2. During the pendency of the above said writ petition, the petitioner approached the respondent/Management for an amicable, out of court settlement and the respondent/Management had also agreed for the same.

3. Accordingly, both the petitioner and the respondent have entered into a settlement on 25.11.2021 under Section 18(1) of the Industrial Disputes Act, 1947. The copy of the said settlement is filed before this Court along with this joint memo.

In the above said circumstances, it is prayed that this Court may be pleased to record the above said settlement dated 25.11.2021 entered into between the petitioner and the respondent under Section 18 (1) of the Industrial Disputes Act, 1947 and pass an order disposing this writ petition as settled out of court in terms of the above said settlement. Joint memo filed by the petitioner and the respondent in W.P.No.5630 of 2020:

1. It is submitted that the petitioner has filed the above said writ petition against the Award dated 31.01.2019 passed by the First Additional Labour Court, Chennai in I.D.No.817 of 2015.

2. During the pendency of the above said writ petition, the petitioner approached the respondent/Management for an amicable, out of court settlement and the respondent/Management had also agreed for the same.

3. Accordingly, both the petitioner and the respondent have entered into a settlement on 25.11.2021 under Section 18(1) of the Industrial Disputes Act, 1947. The copy of the said settlement is filed before this Court along with this joint memo.

In the above said circumstances, it is prayed that this Court may be pleased to record the above said settlement dated 25.11.2021 entered into between the petitioner and the respondent under Section 18 (1) of the Industrial Disputes Act, 1947 and pass an order disposing this writ petition as settled



out of court in terms of the above said settlement. Joint memo filed by the petitioner and the respondent in W.P.No.5634 of 2020:

1. It is submitted that the petitioner has filed the above said writ petition against the Award dated 31.01.2019 passed by the First Additional Labour Court, Chennai in I.D.No.822 of 2015.

2. During the pendency of the above said writ petition, the petitioner approached the respondent/Management for an amicable, out of court settlement and the respondent/Management had also agreed for the same.

3. Accordingly, both the petitioner and the respondent have entered into a settlement on 25.11.2021 under Section 18(1) of the Industrial Disputes Act, 1947. The copy of the said settlement is filed before this Court along with this joint memo.

In the above said circumstances, it is prayed that this Court may be pleased to record the above said settlement dated 25.11.2021 entered into between the petitioner and the respondent under Section 18 (1) of the Industrial Disputes Act, 1947 and pass an order disposing this writ petition as settled out of court in terms of the above said settlement.

Joint memo filed by the petitioner and the respondent in W.P.No.5640 of 2020:

1. It is submitted that the petitioner has filed the above said writ petition against the Award dated 31.01.2019 passed by the First Additional Labour Court, Chennai in I.D.No.808 of 2015.

2. During the pendency of the above said writ petition, the petitioner approached the respondent/Management for an amicable, out of court settlement and the respondent/Management had also agreed for the same.

3. Accordingly, both the petitioner and the respondent have entered into a settlement on 25.11.2021 under Section 18(1) of the Industrial Disputes Act, 1947. The copy of the said settlement is filed before this Court along with this joint memo.



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In the above said circumstances, it is prayed that this Court may be pleased to record the above said settlement dated 25.11.2021 entered into between the petitioner and the respondent under Section 18 (1) of the Industrial Disputes Act, 1947 and pass an order disposing this writ petition as settled out of court in terms of the above said settlement.

3. The joint memos filed by the parties dated 25.11.2021 are taken on record. The contents of the joint memos dated 25.11.2021, shall form part and parcel of this order.

4. These writ petitions therefore stand disposed of in terms of the joint memos of compromise as above. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

Note: Here in Enter the Joint Memo
of Compromise Vide USR No 42052 to 42056/2021

gsk

To

1.The I Additional Labor Court Chennai.

+lcc to Mr.R.Jayaprakash, Advocate, S.R.No.66052

W.P.Nos.5630, 5634, 5638, 5639 & 5640 of 2020

BS (CO)

CT 25/01/2022