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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.12.2021

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THE HON'BLE Mr. JUSTICE V.PARTHIBAN

W.P.Nos.5922, 5924, 5925, 5927 & 5929 of 2020

1.N.Anandhan	... Petitioner in W.P.No.5922 of 2020
2.E.Saravanan	... Petitioner in W.P.No.5924 of 2020
3.J.Manikandan	... Petitioner in W.P.No.5925 of 2020
4.N.Prakash	... Petitioner in W.P.No.5927 of 2020
5.P.Bakkiyaraj	... Petitioner in W.P.No.5929 of 2020

Vs.

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

... Respondent in W.P.Nos.5924,5927,5929 of 2020

The Management.
Topaz Tool Company Private Limited,
No.B-6, Sidco Industrial Estate,
Villivakkam, Chennai-600 049

... Respondent in W.P.Nos.5922,5925 of 2021

Prayer in all W.Ps : Petitions filed under Article 226 of The Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records related to the impugned award I.D.Nos.837, 814, 828, 812 & 816 of 2015 dated 31.01.2019, respectively passed by the First Additional Labour Court, Chennai and quash the same in as much it allowing only 50% backwages to the petitioner and to direct the respondent to pay full backwages which has been denied to the petitioner.

In all W.Ps

For Petitioners : Mr.S.Kumarasamy

For Respondent : Mr.R.Jayaprakash



COMMON ORDER

These writ petitions have been filed to issue a Writ of Certiorarified Mandamus, to call for the records related to the impugned award I.D.Nos.837, 814, 828, 812 & 816 of 2015 dated 31.01.2019, passed by the First Additional Labour Court, Chennai and quash the same in as much it allowing only 50% backwages to the petitioner and to direct the respondent to pay full backwages which has been denied to the petitioner.

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 & 26.11.2021, 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.5922 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.837 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.5924 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.815 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 26.11.2021 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 26.11.2021 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.5925 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.828 of 2015.

2. During the pendency of the above said writ petition, the petitioner had 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.



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Joint memo filed by the petitioner and the respondent in W.P.No.5927 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.812 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.5929 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.816 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



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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 & 26.11.2021, are taken on record. The contents of the joint memos dated 25.11.2021 & 26.11.2021, 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.

*Herein enclosed the xerox copy of the Joint Memo filed by the Petitioner and the Respondent.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

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To

1. The First Additional Judge,
Labour Court,
Chennai.
2. The Management,
Drill Jig Bushing Co. (Madras) Private Limited,
44, SIDCO Industrial Estate,
Ambattur, Chennai 600 098.
3. The Management.
Topaz Tool Company Private Limited,
No.B-6, Sidco Industrial Estate,
Villivakkam, Chennai-600 049

W.P.Nos.5922, 5924, 5925, 5927 & 5929 of 2020

SSI(CO)
SU(05/01/2022) (11/01/2022)