



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2021

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THE HONOURABLE Mr.JUSTICE V.PARTHIBAN

W.P.Nos.5980 & 5981 of 2020

R.Kumar ... Petitioner in W.P.No.5980 of 2020

S.Rajavelu ... Petitioner in W.P.No.5981 of 2020

Vs

The Management,
Drill jig Bushing company (Madras) Private Limited,
No.44, Sidco Industrial Estate,
Ambattur, Chennai - 600 098. ... Respondent in both W.Ps

PRAYER in both 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.810 and 813 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% back wages to the petitioners and to direct the respondent to pay full back wages which has been denied to the petitioners.

In both W.Ps

For Petitioners : Mr.S.Kumarasamy

For Respondent : Mr.R.Jayaprakash

O R D E R

These writ petitions are filed to issue a writ of Certiorarified Mandamus to call for the records related to the impugned award I.D.Nos.810 and 813 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% back wages to the petitioners and to directing the respondent to pay full back wages which has been denied to the petitioners.

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.5980 of 2020:



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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.810 of 2015.

2. During the pendency of the above said writ petition, the petitioner has 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.5981 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.813 of 2015.

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

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.

* Copy of the Joint and Memo of Compromise dated 25.11.2021

Sd/-
Assistant Registrar(CS-II)

//True copy//

Sub Assistant Registrar

gsk

To

1. The 1st Additional Labour Court,
Chennai.
2. The Management,
Drill jig Bushing company (Madras) Private Limited,
No.44, Sidco Industrial Estate,
Ambattur, Chennai - 600 098.

+2ccs to Mr.R.Jayaprakash, Advocate SR.No.66054

W.P.Nos.5980 & 5981 of 2020

SMI (CO)
GMY (27/01/2022)