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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.12.2021

CORAM

THE HON'BLE MR. JUSTICE V.PARTHIBAN

W.P.NO.6046 OF 2020

K.Rajendran

... Petitioner

Vs.

The Management,
M/s.Topaz Tool Company Private Limited,
Rep.by its Director Mr.M.Paul,
No.B-6, SIDCO Industrial Estate,
Villivakkam, Chennai 600 049.

... Respondent

Prayer :

Petition 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 in I.D.No.838 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.

For Petitioner : Mr.S.Kumarasamy

For Respondent : Mr.R.Jayaprakash

O R D E R

This writ petition has been filed to issue a Writ of Certiorarified Mandamus, to call for the records related to the impugned award in I.D.No.838 of 2015 dated 31.01.2019 passed by the First Additional Labour Court, Chennai and quash the same in



as much as allowing only 50% backwages to the petitioner and to direct the respondent to pay full backwages which has been denied to the petitioner.

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2. When the matter is taken up for hearing, the learned counsel for the parties submitted a joint memo filed by the petitioner and the respondent dated 26.11.2021, reporting settlement between the parties. The contents of the joint memo are extracted hereunder:-

"Joint memo filed by the petitioner and the respondent

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.838 of 2015.

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

3. The joint memo filed by the parties dated 26.11.2021, has been taken on record. The contents of the joint memo dated 26.11.2021, shall form part and parcel of this order.



4. This writ petition therefore stands disposed of in terms of the joint memo of compromise as above. No costs.

*Xerox copy of Joint memo compromise is enclosed.

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Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

gsk

To

1. The First Additional Labour Court,
Chennai
2. The Management,
M/s.Topaz Tool Company Private Limited,
Rep.by its Director Mr.M.Paul,
No.B-6, SIDCO Industrial Estate,
Villivakkam, Chennai 600 049.

+1cc to Mr.R.Jayaprakash, Advocate, S.R.No.66055

W.P.No.6046 of 2020

JPL (CO)
PM/06/01/2022
12/01/2022