

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.32269 of 2019
and
W.M.P.No.32559 of 2019

The Managing Director,
M/s.Benchmark Softech Ltd.,
150, Luz Church Road,
Chennai - 600 004.

...Petitioner

Vs

V.Sankaran

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records in C.P.No.11 of 2014 dated 05.08.2019 on the file of the IIIrd Additional Judge, Labour Court, Chennai and quash the same.

For Petitioner : Mr.R.Saravana Kumar

For Respondent : Mr.K.Rangesh
for M/s.Jayaraman & Asso.

ORDER

The order dated 05.08.2019 passed in Claim Petition No.11 of 2014 by the IIIrd Additional Labour Court, Chennai, is put under challenge in the present writ petition.

2. Pending the writ petition, both the parties have amicably resolved the dispute among themselves, whereby the management has offered to pay Rs.1,50,000/- as a full and final settlement of all the dues under the impugned award. The respondent/workman has also agreed to accept the sum as a full and final settlement.

3. It is brought to the notice of this Court that, pursuant to interim orders of this Court, the management had already deposited a sum of Rs.2,49,719/- in a Nationalized Bank and the fixed deposit receipt has been kept under the custody of the III Additional Labour Court.

4. Today, when the matter was called, the learned counsel for the petitioner handed over a cheque to the learned counsel for the respondent for a sum of Rs.1,50,000/-, through a cheque bearing No.122654 drawn on Punjab National Bank, Mylapore, Chennai - 600 004, dated 14.09.2021. The learned counsel for the respondent, on receipt of the cheque, submitted that he has no objection if the petitioner management withdraws the amount already deposited before the Labour Court.

***5. In the light of the above developments, the IIIrd Additional Labour Court, Chennai, shall refund the sum of Rs.2,49,719/- together with the accrued interest, to the petitioner on the strength of an application being filed by them. The Labour Court shall endeavour to pass such favourable orders preferably on the same day when the application is made.**

6. With the above observations, the Writ Petition stands closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)
dt: 05/10/2021

**(*) Amended as per order
dated 07.10.2021 in W.P.No.32269/2019**

Sd/-
Assistant Registrar(CS VI)
dt: 29/10/2021

//True Copy//

Sub Assistant Registrar

hvk

To
The III Additional Labour Court,
Chennai.

**To be substituted the
order copy already
despatched on 05.10.2021**

+1cc to Mr.E.Veda Bagath Singh, Advocate, **S.R.No.52689**

W.P.No.32269 of 2019
and
W.M.P.No.32559 of 2019

PCH[co]
NSK 05/10/2021
PR 01/11/2021