



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.12.2021

CORAM:

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P. (MD)No.944 of 2018

and

W.M.P. (MD)No.990 & 6775 of 2018

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The Correspondent,
St. Anne's Higher Secondary School,
Thiruvalluvar Nagar,
Lalgudi - 621 601,
Trichy District.

...Petitioner

/Vs./

1.The Presiding Officer,
Labour Court,
Trichy, Trichy District.

2.K.Xavier Peter

...Respondents

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari calling for the records relating to the impugned award passed by the 1st respondent Presiding Officer, Labour Court, Trichy District in I.D. No.53 of 2013 dated 23.08.2017 (received on 11.10.2017) and quash the same.

For Petitioner	: Mr.Muthuvel for M/s.Isaac Chambers
For R1	: (Court)
For R2	: Mr.K.Gurunathan

ORDER

Mr.Muthuvel, learned counsel for the petitioner and Mr.K.Gurunathan, learned counsel for the second respondent, Presiding Officer Labour Court/R1 being unrepresented, place on file a joint compromise memo entered into between the petitioner/Correspondent, St. Anne's Higher Secondary School, and the second respondent, K.Xavier Peter. The second respondent is present in Court at the time of hearing, and confirms such settlement.

2.Memo of compromise reads as follows:

*"JOINT COMPROMISE MEMO FILED BY THE
PETITIONER AND THE 2nd RESPONDENT K. XAVIER
PETER*



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1.The petitioner herein filed the Writ Petition before this Hon'ble Court seeking for the issuance of a WRIT OF CERTIORARI challenging the award passed by the 1st respondent Presiding Officer, Labour Court, Trichy District in I.D.No.53 of 2013 dated 23.08.2017 to quash the same.

2.This Hon'ble Court was pleased to grant Ad-Interim Stay vide Order in WMP(MD)No. 990 of 2018 dated 17.01.2018 with a condition to pay a sum of Rs.30,000/- to the 2nd respondent within a period of two weeks from the date of that Order. Accordingly, the petitioner-school paid a sum of Rs.30,000/- vide a Demand Draft in favour of the 2nd respondent K. Xavier Peter dated 24.01.2018.

3.During the pendency of the Writ Petition, the 2nd respondent Mr.K.Xavier Peter filed a Memo of Calculation before this Hon'ble Court on 24.11.2021 asking for compensation from the petitioner-school to a tune of Rs.1,67,146/- (Rupees One Lakh Sixty Seven Thousand One Hundred and Forty Six only). The petitioner-school, by considering the age factor of the 2nd respondent and his family situation, expressed its willingness to give compensation to the 2nd respondent to a tune of Rs.1,05,000/- (Rupees One Lakh and Five Thousand only) and same was accepted by the 2nd respondent. Accordingly, the petitioner-school paid a sum of Rs. 1,05,000/- to the 2nd respondent on 07.12.2021 vide a Cheque No. 483671 dated 06.12.2021 (Indian Overseas Bank, Lalgudi - 046, Trichy).

4.As such, the petitioner and the 2nd respondent entered into compromise among themselves and now they have decided to resolve the issue without any further conditions. In view of joint compromise, there requires no further adjudication in the Writ Petition.

5.In the above said circumstances, this Hon'ble Court may be pleased to accept this Joint Compromise Memo filed by the petitioner and the 2nd respondent, and thus render Justice."



3.Recording the aforesaid, this Writ Petition is closed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (AE)

WEB COPY

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Presiding Officer,
Labour Court,
Trichy, Trichy District.

COPY TO:-

The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+1cc to Mr.K.GURUNATHAN,Advocate, SR.No.37817 DATED:08.12.2021

+1cc to Mr.P.MUTHUVEL (ISAAC CHAMBERS),Advocate, SR.No.38246
DATED:10.12.2021.

Order made in
W.P. (MD)No.944 of 2018

Dated:
08.12.2021

MJ(CO)
GC(04.01.2022) 3P 6C