



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2021

C O R A M

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THE HONOURABLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P. (MD) No. 7091 of 2014

and

W.M.P. (MD) No. 1 of 2014

and

W.M.P. (MD) No. 1 of 2015

Mani's Lodge,
Rep by its Proprietor,
N.Kannan,
5, Town Hall Road,
Madurai.

... Petitioner

-vs-

1.The Presiding Officer,
The Labour Court,
Madurai.

2.P.Murugaian (died)

3.M.Janaki

4.M.Baskaran

5.M.Vimala

6.M.Muthulakshmi

7.M.Kumar

8.M.Mageswari

9.R.Malarvzhi

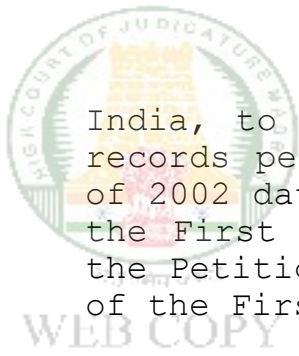
10.R.Karthik

11.R.Sathya

... Respondents

(R3 to R11 are impleaded vide order dated 29.07.2021
made in W.M.P. (MD) No. 16520 of 2020)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India



India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to award of the First Respondent in C.P. No. 80 of 2002 dated 31.12.2010 and quash the same and consequently, direct the First Respondent to reopen the case and give an opportunity to the Petitioner to defend his case in C.P. No. 80 of 2002 on the file of the First Respondent.

For Petitioner : Mr. J.Anandkumar

For R2 to R11 : Mr. T.Ravichandran

O R D E R
(through Video Conference)

Heard Mr. J.Anandkumar, Learned Counsel for the Petitioner and Mr. T.Ravichandran, Learned Counsel for the Second to Eleventh Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition challenges the Order dated 31.12.2010 in C.P. No. 80 of 2002 passed by the Labour Court, Madurai (hereinafter referred to as 'the Labour Court' for short) in which the Second Respondent has been held to be entitled to receive a sum of Rs. 1,49,624/- full and final settlement as compensation on closure due to loss of business of the Petitioner in this case. It is informed that in furtherance to the interim order dated 23.04.2014, the Petitioner has deposited a sum of Rs.1,00,000/- before the Labour Court as condition for grant of interim stay of the impugned order in this Writ Petition.

3. The Second Respondent, viz., P.Murugaian, died on 12.10.2018 after the filing of the Writ Petition. The Third to Eleventh Respondents have been brought on record by a separate order passed today (29.07.2021) in W.M.P. (MD) No. 16520 of 2020 as legal representatives of the deceased P.Murugaian. The Petitioner and the Third to Eleventh Respondents have appeared before this Court through video conference and they have been identified by the respective Counsel. They have jointly stated that in the compromise entered between the parties, it has been agreed that the Third to Eleventh Respondents would share among themselves the sum of Rs. 1,00,000/- deposited by the Petitioner in the Labour Court in full and final settlement of the claim and the Petitioner would not have any further liability in that regard. The memo of compromise dated 07.07.2021 filed by the Petitioner and the Third to Eleventh Respondents and their respective Counsel received through e-mail, confirming the aforesaid facts, has been placed on record, which shall be treated as part of this order.

In the result, the Writ Petition is disposed in terms of the
<https://hcservices.ecourts.gov.in/hcservices/>



joint memo of compromise dated 07.07.2021 entered between the Petitioner and the Third to Eleventh Respondents. Consequently, the connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar ()

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// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sm/dm

Extract the Joint Memo of Compromise.

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,
The Labour Court,
Madurai.

+1 CC to M/s.T.RAVICHANDRAN, Advocate (SR-24844[F] dated 30/07/2021)

W.P. (MD) No. 7091 of 2014
29.07.2021

RD(15.09.2021) 3P 3C