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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2022

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. Nos.21576, 34470 of 2004 and 39886 of 2005

Cause title in W.P.No.21576 of 2004:

B.Loganathan

...Petitioner

Vs.

1.The Secretary
Railway Employees Co-operative
Credit Society Limited,
Chennai-600 003.

2.Presiding Officer,
I Additional Labour Court,
Chennai-600 104.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records and quash the part of the order dated 05.01.2004 in C.P.No.535 of 1998 by the 2nd respondent herein holding that the Labour Court has no jurisdiction and consequently direct the 1st respondent herein to disburse the balance of bonus due to the petitioner for the period between 10.07.1995 to 31.03.1996, 01.04.1996 to 31.03.1997 and 01.04.1997 to 06.11.1997 amounting to a total of Rs.5,557/- with an interest of 18% per annum from 1997 onwards.

For Petitioner : Dr.V.Suresh

For Respondent 1 : Mr.A.Jenasenan

For Respondent 2 : Tribunal

W.P. No.34470 of 2004:

The Railway Employees Co-operative
Credit Society Ltd.,
Rep. by its Secretary,
Southern Railway Office,
Chennai-600 003.

...Petitioner



Vs.

1.The Principal Labour Court,
Chennai.

2.B.Loganathan,
Devadoss Village and Post,
Ponneri Taluk, Thiruvallur District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the proceedings of the 1st respondent made in I.D.No.432 of 1998 dated 23.09.2004 and quash the same.

For Petitioner : Mr.A.Jenanesan

For Respondent 1 : Tribunal

For Respondent 2 : Dr.V.Suresh

W.P. No.39886 of 2005:

B.Loganathan

...Petitioner

Vs.

1.The Central Registrar of Co-operative Societies,
Ministry of Agriculture,
Department of Agriculture and Co-operation,
Krishi Bhavan, New Delhi-110 001.

2.The Regional Joint Registrar of Co-operative,
Societies, Madras Region,
No.91, St.Marys Road, Abiramapuram,
Chennai-600 018.

3.The Secretary,
Railway Employees Co-operative
Credit Society Limited,
Chennai600003.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 3rd respondent to give promotion to the petitioner to the post of Clerk Grade-II with effect from 02.07.1990 and pass further orders.



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For Petitioner : Dr.V.Suresh
For Respondent 1 : No appearance
For Respondent 2 : Mrs.V.Yamuna Devi
Special Govt. Pleader
For Respondent 3 : Mr.A.Jenasenan

C O M M O N O R D E R

It is submitted by both the counsel for the petitioner and the respondents that the matters are compromised and a joint memo of compromise is also filed. The relevant portions of the memo is extracted below:

"2. A sum of Rs.3,70,780/- (Rupees Three Lakhs Seventy Thousand Seven Hundred and Eighty Only) is lying in two Fixed Deposits with M/s.SBI, Park Town Branch. A sum of Rs.3,00,780/- (Rupees Three Lakhs Seven Hundred and Eighty only) is lying in Fixed Deposit No.31282996223 and a sum of Rs.70,000/- (Rupees Seventy Thousand only) is lying in Fixed Deposit No.30097313961. The Society has no objection to Shri.B.Loganathan withdrawing the whole Rs.3,70,780/- (Rupees Three Lakhs Seventy Thousand Seven Hundred and Eighty only). In addition the Society has issued two Demand Drafts to Shri B.Loganathan. The details of the Two DD's are:

a) DD No.268234 dated 28.04.2022, drawn on AXIS Bank, Chennai main Branch, Radhakrishnan Salai, for a sum of Rs.5,27,495/- (Rupees Five Lakhs Twenty Seven Thousand Four Hundred and Ninety Five only)

b) DD No.268235 dated 28.04.2022, drawn on AXIS Bank, Chennai Main Branch, Radhakrishnan Salai, for a sum of Rs.1,01,725/- (Rupees One Lakh One Thousand Seven Hundred and Twenty Five only), both drawn in favour of Shri.B.Loganathan, thus totalling Rs.10,00,000/- (Rupees Ten Lakhs only)."

2. Pursuant to the compromise memo, the workmen is permitted to withdraw the writ petition, the respondent/ Society does not have any objection to the same.



3. Recording the same, the writ petitions are closed. No costs. Consequently, connected miscellaneous petition, if any, is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To:

- 1.The Secretary,
Railway Employees Co-operative Credit Society Limited,
Chennai-600 003.
- 2.Presiding Officer, I Additional Labour Court,
Chennai-600 104.
- 3.The Central Registrar of Co-operative Societies,
Ministry of Agriculture,
Department of Agriculture and Co-operation,
Krishi Bhavan, New Delhi-110 001.
- 4.The Regional Joint Registrar of Co-operative,
Societies, Madras Region, No.91, St.Marys Road, Abiramapuram,
Chennai-600 018.
- 5.The Presiding Officer,
Principal Labour Court,
Chennai.

+3cc to M/s.A.Jenasenan, Advocate Sr.30123

+1cc to M/s.D.Nagasaila, Advocate Sr.30328

[05/05/2022]

W.P. Nos.21576, 34470
of 2004 and 39886 of 2005

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srg 02/05/2022