



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-I organised by the High Court Legal Services Committee
Wednesday, the 23 day of March 2022

LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)
Presided over by

The Hon'ble Mr.JUSTICE M.Thanikachalam (Retd)
and

Members

Mr.Ravindra Bose, District Judge (Retd)

WP.Nos.5880 of 2009 and 4321 of 2010
and M.P.Nos.1 & 2 of 2009 in W.P.No.5880 of 2009

Prayer in WP.No.5880 of 2009:

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari calling for the records of the 1st respondent in ID.No.115/2001 and quash its award dated 30.09.2008.

Prayer in WP.No.4321 of 2010:

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorified Mandamus calling for the records from the 2nd respondent relating to the award dated 30.09.2008 passed in ID.No.115 of 2001 and quash the portion of denying full back wages and other benefits and findings with respect to the validity of the domestic enquiry and direct the 1st respondent Management to pay full back wages and all other attendant benefits from the date of termination.

The Management of

K.H.Leather Industries (P Ltd)

(Foot Wear Unit)

No.18, Krishnagiri Bye-Pass Road,

Ranipet - 632 401. ... Petitioner in W.P.No.5880 of 2009 and
1st Respondent in W.P.No.4321 of 2010

Vs.

1.The Presiding Officer

Labour Court, Vellore. ...1st Respondent in W.P.No.5880 of
2009 & 2nd Respondent in
W.P.No.4321 of 2010



2.S.Kuppan(deceased)

2.K.Pappu

3.K.Gopinath

4.K.Arvind

5.K.Sangeetha

6.K.Indira

(R2 to R6 are substituted as LR's of deceased Viz., S.Kuppan, as per order dated 03.06.2016 by RMDJ in WMP.No.11612/2016 in WP.No.5880/2009)

... Respondents 2 to 6 in W.P.No.5880 of 2009/
Petitioner in W.P.No.4321 of 2010

This case came up for settlement before the Lok Adalat. Mr.A.P.Venkatesh Prasad for M/s.T.S.Gopalan and Co., learned counsel for the Petitioner(in WP.No.5880 of 2009 and Respondent in WP.No.4321 of 2010) and Mr.D.Nandagopal, learned counsel for the respondent R3 to R7 (in WP.No.5880 of 2009 and Petitioners in WP.No.4321 of 2010) are present.

TERMS OF SETTLEMENT

One Kuppan was working in the K.H.Leather Industries of R1 and it appears because of some dispute industrial dispute has been raised, wherein an order came to be passed directing to re-instate the Kuppan, as well for the payment of 50% of backwages. Aggrieved by this order, the petitioner also preferred a Writ Petition in W.P.No.4321 of 2010 and the Management also preferred a Writ Petition in W.P.No.5880 of 2009 pendency disposal of both cases, there was serious attempts to settle the matter, not fructified, resulting the case pending.

2. The time has not stopped for anybody, and as distained Mr.Kuppan expired resulting legal heirs also brought on record. Therefore, the question of re-instating claim may not arise, and if at all, the legal heirs may be entitled to, as directed in the Industrial Dispute order amount passed in Wps, the re-instate of workmen has become infructuous, and for the rest of claim, case pending for the past more than a decade without any progress.

3. After taking great strain, it seems the parties have agreed to settle the claims and therefore according to the settlement reached the orders have to be passed in both the Wps.



4. The Claimant of the LR's of the deceased/workmen in that they want full backwages and it comes as represented before us Rs.2,89,500/-. As agreed by both the parties, a sum of Rs.36,000/- was already given to the claimants or workmen LR's. In addition, they have deposited a sum of Rs.90,000/- before the Labour Court, Vellore. Now, the Industry has accepted to pay a sum of Rs.1,73,650/- which is accepted by the LR's of the original workmen.

5. It is also agreed by both the parties for the deposit amount of Rs.90,000/- interest accrued, if any, the LR's of the workmen are entitled to withdraw for which the Industry has no objection.

6. As narrated above, both the parties agreed to settle both the case on payment of Rs.1,73,650/- and the amount should be deposited by way of cheque or DD as the case may be, or any other mode of money transaction. As requested, the amount may be sent to Mr.K.Gopinath who is the 2nd respondent, within a period of four weeks from the date of receipt of copy of this order. They have also filed a memo. Recorded.

7. As seen from the memo, the LR's of the deceased workmen reserved their rights to claim PF if any, may approach the concerned authorities and take appropriate relief for which the Management is directed to co-operate. Memo recorded. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
The Management of
K.H.Leach Industries (P Ltd)
(Foot Wear Unit)
No.18, Krishnagiri Bye-Pass Road,
Ranipet - 632 401.

Sd/-
Counsel for the Petitioner

(L.T.I)
1.K.Pappu
Sd/-
2.K.Gopinath
Sd/-
3.K.Arvind
Sd/-
4.K.Sangeetha
Sd/-
5.K.Indira



This Lok Adalat award is passed in terms of the above settlement.

WEB COPY

Sd/-
Judge

Sd/-
Member

(*)The Xerox Copy of the
Joint Memo of Settlement enclosed

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

Copy to:

1. The Management of
K.H.Leather Industries (P Ltd)
(Foot Wear Unit)
No.18, Krishnagiri Bye-Pass Road,
Ranipet - 632 401.
- 2.The Secretary,
High Court Legal Services Committee,
Chennai.
- 3.The Section Officer,
V.R. Section, High Court,
Madras.
- 4.The Section Officer,
Lok Adalat Section,
High Court, Madras.+2 copies

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srg 04/05/2022