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W.P.(MD)Nos.14692 to 14705 of 2012

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2022

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)Nos.14692 to 14705 of 2012

and

M.P.(MD)Nos.1, 1 and 1 of 2013

W.P.(MD)No.14692 of 2014:

K.P.Perumal

... Petitioner

vs.

1.The Management,
Sri Ganapathy Mills Company Limited,
Sankar Nagar, Tirunelveli.

2.The Presiding Officer,
Labour Court,
Tirunelveli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the



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proceedings I.D.No.68 of 2004, dated 25.07.2011, to quash the portion of rejection of back wages alone and consequently, to direct the 1st respondent to pay the back wages for the period starting from 21.10.2003 to 25.07.2011.

In all writ petitions:

For Petitioner : Mr.D.Saravanan
For R1 : Mr.M.E.Ilango
For R2 : Labour Court

COMMON ORDER

The writ petition in W.P.(MD)No.14692 of 2012 is filed for issuance of a writ of Certiorarified Mandamus, to quash that portion of the order impugned award where it reject back wages alone passed in I.D.No.68 of 2004, dated 25.07.2011, and consequently, to direct the 1st respondent to pay the back wages for the period starting from 21.10.2003 to 25.07.2011.

2. The workman has filed the writ petition in W.P.(MD)No.14692 of 2012 challenging the order passed by the 2nd respondent. The petitioner herein has



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raised an Industrial Dispute seeking reinstatement with continuity of service, back wages and other consequential relief. The Management contested the claim. However, the Labour Court has passed the impugned order setting aside the dismissal order against the petitioner and directed the management to reinstate the petitioner without backwages. Aggrieved over the same, the present writ petition in W.P.(MD)No.14692 of 2012 is filed.

3. Pending writ petition, it is submitted that the management has entered in settlement with the writ petitioners in W.P.(MD)Nos.14695, 14697 and 14702 of 2012 and the three petitioners have already received a sum of Rs.2,00,000/- as full and final settlement. Recording the same, the writ petitions W.P.(MD)Nos. 14695, 14697 and 14702 of 2012 are closed as no further adjudication is necessary.

4. Since the petitioners in the writ petitions W.P.(MD)Nos.14692 to 14694,



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14696, 14698 to 14701, 14703 to 14705 of 2012 have not attained superannuation at the time of filing the writ petitions, they are entitled to Rs. 2,50,000/- as full and final settlement. The management shall pay the amount to the workmen in the above said writ petitions within the period of 12 weeks from the date of receipt of a copy of this order.

5. With the above said observation, the writ petitions W.P.(MD)Nos. 14692 to 14694, 14696, 14698 to 14701, 14703 to 14705 of 2012 are disposed of and the writ petitions W.P.(MD)Nos. 14695, 14697 and 14702 of 2012 are closed. No costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No

24.11.2022

Internet : Yes

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To

The Presiding Officer,
Labour Court,
Tirunelveli.



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S.SRIMATHY, J

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