



W.P.(MD)No.1822 of 2013

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.1822 of 2013

and

M.P(MD)No. 1 of 2013

The Management,
Alagappa Spinning Mills Co. Limited,
represented by its Personnel Manager.

... Petitioner

vs.

1. The Presiding Officer,
Labour Court,
Madurai.

2. R.R.Gurusamy (Died)

3. Jothilakshmi

4. Sarathadevi

5. Athilakshmi

... Respondents

[Respondent Nos.3 to 5 are impleaded vide Court order, dated 26.09.2022]

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of *Certiorari*, calling for the records relating to the impugned



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order, dated 30.04.2012 passed by the 1st respondent in C.P.No.2 of 2008 (received on 30.07.2012) and quash the same as illegal.

For Petitioner : Mr.M.Jerin Mathew, for
Mr.M.E.Elango
For R-1 : Labour Court
For R-3 to 5 : M/s.S.Pon Senthil Kumaran

ORDER

This Writ Petition is filed for issuing Writ of *Certiorari*, to quash the impugned order, dated 30.04.2012 passed by the 1st respondent in C.P.No.2 of 2008 (received on 30.07.2012).

2. Heard Mr.M.Jerin Mathew, for Mr.M.E.Elango, learned counsel appearing for the petitioner and M/s.S.Pon Senthil Kumaran, learned counsel appearing for the respondent Nos.3 to 5. Perused the material documents available on record.



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3. When the matter is taken up for hearing, the learned counsel appearing for the petitioner/management submitted that the petitioner Spinning Mill was closed and subsequently, the same was sold to some one person and now, they are running the said Spinning Mill. If at all any amount ought to be paid, the petitioner shall be paid independently, from his own pocket. He further submitted that some reasonable amount may be fixed.

4. The learned counsel appearing for the respondent Nos.3 to 5 submitted that, since the Workman died, the legal representatives are contesting the case. The legal representatives/R-3 to R-5 are two daughters and wife of the deceased 2nd respondent. The learned counsel opposed for reducing the amount.

5. Since the Spilling Mill is not running, to meet the ends of justice, this Court is of the considered opinion that reasonable amount shall be fixed, so that there will be a possibility of settlement.



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6. Accordingly, the petitioner management is directed to pay a sum of Rs.5 Lakhs, as full quit, to the respondent Nos.3 to 5, within a period of eight weeks from the date of receipt of a copy of the order. It is made clear that the respondent Nos.3 to 5 shall not claim any further amount from the Petitioner management.

7. With the above observations, this Writ Petition is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
Internet : Yes
ksa

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S.SRIMATHY, J

ksa

Order made in
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03.11.2022