



W.P.No.10652 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 26.06.2023

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.No.10652 of 2013

V.Purusothaman

...Petitioner

Vs.

1.The Presiding Officer,
Principal Labour Court,
Vellore.

2.The Management of Axles India Limited,
Vadamavandal Village,
Nemendi Post,
Cheyyar Taluk,
Thiruvannamalai District – 604 410.

..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the concerned records from the 1st respondent Labour Court, quash the Award of the 1st respondent Labour Court dated 10.07.2012 in I.D.No.81 of 2011 and consequently direct the 2nd respondent to reinstate the petitioner in service with full back wages, continuity of service and all other attendant benefits.



W.P.No.10652 of 2013

For Petitioner : Mr. Balan Haridas
For R1 : Court
For R2 : Mr. G. Anand
For M/s.T.S.Gopalan & Co.

ORDER

The parties have appeared before the Court. They have entered into a 18 (1) Settlement and the said Settlement has been filed as a memo before this Court.

2. As per the Settlement, Mr. V. Purusothaman/writ petitioner has received two cheques, amounting to Rs.17,09,494/- (Rupees Seventeen Lakhs Nine Thousand four hundred and ninety-four only) and the cheques have been drawn at separate branch altogether.

3. Mr. Balan Haridas, learned counsel for the writ petitioner has pointed out as from Clause (d) of the agreement that the amount has been deducted for payment of TDS by the respondent-Management. Needless to point out the amount represents backwages, which has been spread over as an income for the period from the year 2013 to 2023. Therefore, at the first instance, the respondent-Management necessarily will have to pay the TDS.



W.P.No.10652 of 2013

4. The writ petitioner can file for refund of the amount paid as TDS by approaching the appropriate authorities.

5. With the above observations, the memo of compromise is taken on file. The Settlement shall form part of the order and the writ petition is disposed of in terms of the Settlement. No costs.

26.06.2023

Index : Yes/No
Speaking order/Non-Speaking order
Neutral Citation: Yes/No
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To

1. The Presiding Officer,
Principal Labour Court,
Vellore.



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W.P.No.10652 of 2013

V.LAKSHMINARAYANAN, J.

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W.P.No.10652 of 2013

26.06.2023