



W.P.Nos.8068 of 2018 & 7722 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.8068 of 2018 & 7722 of 2023

and

W.M.P.Nos.10048 and 7925 of 2023

W.P.No.8068 of 2018

Delphi World Money LTD.,
Rep. by the Wholetime Director,
Manek Plaza, 8th Floor, Kalina C.S.T.Road, Kole Kalyan,
Santacruz (East), Mumbai – 400 098. ... Petitioner

[petitioner cause title amended vide order dated 21.09.2023 made
in W.M.P.No.26402 of 2023 in W.P.No.8068 of 2018]

Vs.

1.The Deputy Commissioner of Labour,
Appellate Authority under Tamil Nadu Shops
& Establishment Act,
Coimbatore – 18.

2.A.N.Ramesh ...Respondents

W.P.No.7722 of 2023

1.Delphi World Money LTD.,
Rep. by the Wholetime Director,



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Manek Plaza, 8th Floor,
Kalina C.S.T.Road, Kole Kalyan,
Santacruz (East),
Mumbai – 400 098.
(Formerly known as)
Weizmann Forex Ltd.,
No.8 & 9, Damodhar Centre,
Avinashi Road,
Coimbatore Branch,
Rep. by its Branch Manager.

2.The Managing Director,
Weizmann Forex Ltd.,
No.50, Ground Floor,
Millennium Towers,
Queens Road, Bangalore.

3.The Regional Accountant,
Weizmann Forex Ltd.,
No.39/45, Montieth Road,
Ceebros Centre, Egmore,
Chennai – 600 008.

4.The Enquiry Officer,
Weizmann Forex Ltd.,
No.50, Ground Floor,
Millennium Towers, Queens Road,
Bangalore.

5.The Disciplinary Authority,
Weizmann Forex Ltd.,
Millennium Towers, Queens Road,
Bangalore.

6.The Accounts Manager,
Weizmann Forex Ltd.,



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Empire House, D.No.214, Dr.DN Road,
Ent. A.K. Nayak Marg,
Fort, Mumbai – 400 001.

7.The Audit Department,
Weizmann Forex Ltd.,
No.50, Ground Floor,
Millennium Towers, Queens Road,
Bangalore.

8.The Assistant Vice President,
HR Bs Administration,
Weizmann Forex Ltd,
No.50, Ground Floor,
Millennium Towers, Queens Road,
Bangalore.

9.The Regional Manager/Asst. Vice President,
Tamil Nadu Region,
Weizmann Forex Ltd.,
39/45, Monteith Road, Ceebros Centre,
Egmore, Chennai.

... Petitioners

Vs.

Srimathi Narayanan

... Respondent

Prayer in W.P.No.8068 of 2018 : Writ Petition is filed under Article 226 of Constitution of India, pleased to issue a Writ of Certiorari calling for the records of the 1st respondent in TNSE No.4 of 2015 dated 31.08.2017 and quash the same.

Prayer in W.P.No.7722 of 2023 : Writ Petition is filed under Article 226 of Constitution of India, pleased to issue a Writ of Certiorari, calling for



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the records of the order passed in TNSE No.7 of 2014 dated 25.02.2022 on the file of the Labour Court, Coimbatore and quash the same.

W.P.No.8068 of 2018

For Petitioner	: Mr.R.Parthiban
For R1	: Mr.M.S.Prem Kumar Government Advocate
For R2	: Mr.Balan Haridas

W.P.No.7722 of 2023

For Petitioners	: Mr.R.Parthiban
For Respondent	: Mr.V.Ajoy Khose

COMMON ORDER

Since the issue involved in these writ petitions are one and the same, with the consent of the learned counsel appearing for the parties, these writ petitions are heard together and disposed of by this common order.

2. The second respondent in W.P.No.8068 of 2018 and the respondent in W.P.No.7722 of 2023 are hereinafter called as workmen. They were working as Branch Manager and Deputy Manager respectively in the Coimbatore Branch of the petitioner Company and due to the misconduct committed by the workmen, disciplinary



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proceedings was initiated against them and after conducting proper enquiry, the workmen was discharged from service. Aggrieved by the same, the workmen preferred appeals under Section 41(2) of Tamil Nadu Shops and Establishment Act (in short 'the TNSE Act') before the Labour Court in TNSE.Nos.7 of 2014 and 4 of 2015. After adjudication, the Labour Court had set aside the order passed by the petitioner Company and directed the management to pay a sum of Rs.2,50,000/- as compensation in lieu of reinstatement and other benefits, vide orders dated 31.08.2017 and 25.02.2022 respectively. Challenging the same, the above writ petitions are filed.

3. Heard learned counsel appearing on either side and perused the materials placed on record.

4. Though the above writ petitions have been filed seeking to quash the impugned orders passed by the Labour Court in TNSE.Nos.7 of 2014 and 4 of 2015, however, the learned counsel for the petitioner management, on instructions submits that, the issue has been settled



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amicably between the parties and he further submitted that, the management is ready to pay the compensation to the tune of Rs.1,00,000/- to the workmen within the time frame that may be stipulated by this Court. The respective learned counsel appearing for the workmen on instructions would submit that the workmen have no serious objection for the settlement.

5. In view of the submission made by the learned counsel on either side and in view of the settlement entered into between the parties, the management is directed to pay a sum of Rs.1,00,000/- as compensation in full quit to the respective workmen within a period of two weeks from the date of receipt of a copy of this order.

6. With the above direction and observation, these writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

27.09.2023

Index :Yes/No

NCC : Yes/No

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Office to Note: Issue Order Copy on 27.09.2023

To



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The Deputy Commissioner of Labour,
Appellate Authority under Tamil Nadu Shops & Establishment Act,
Coimbatore – 18.



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and

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These writ petitions have been listed under the caption “for being mentioned” at the instance of the learned counsel appearing for the petitioner management on the ground that an inadvertent error has crept in paragraph No.4 of the order.

2. Paragraph No.4 of the order shall read as follows :

4. Though the above writ petitions have been filed seeking to quash the impugned orders passed by the Labour Court in TNSE.Nos.7 of 2014 and 4 of 2015, however, the learned counsel for the petitioner management, on instructions submits that, the issue has been settled amicably between the parties and he further submitted that, the management is ready to pay the compensation **including gratuity** to the tune of Rs.1,00,000/- to the workmen within the time frame that may be stipulated by this Court. The respective learned counsel appearing for the workmen on instructions would submit that the workmen have no serious objection for the settlement.



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3. Registry is directed to carry out the necessary correction in the order dated 27.09.2023 and issue a fresh copy of the order to the learned counsel for the parties. In other respects, the earlier order dated 27.09.2023 shall remain unaltered.

03.10.2023

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