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W.P.Nos.27607 of 2008 etc., batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2023

CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.Nos.27607, 27609, 27610,
27611, 27612 & 27613 of 2008

The Management of Gandhipuram
Sarvodaya Sangam
Head Office
No.348, 7th Street,
Cross cut road,
Gandhipuram,
Coimbatore 641 012.

... Petitioner
in all WP Nos

Vs.

1. The Presiding Officer
Labour Court,
Coimbatore.

... Respondent in
all WP Nos.

M.Murugesan

... Respondent
in W.P.No.27607 of 2008

K.Vellangiri

... Respondent
in W.P.No.27609 of 2008

M.Ramasamy

... Respondent
in W.P.No.27610 of 2008

P.Subramanian

... Respondent
in W.P.No.27611 of 2008

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P.Devaraj

... Respondent
in W.P.No.27612 of 2008

K.Manickavasagam

... Respondent
in W.P.No.27613 of 2008

Writ Petitions filed under Article 226 of Constitution of India, praying for issuance of Writ of Certiorari calling for the records relating to the Award dated 30.04.2008 made in I.D.Nos.410, 417, 419, 422, 421, 414 of 2004 on the file of the first respondent and quash the same.

For Petitioner : M/s.Aiyar & Dolia
in all WP.Nos

For Respondents : Mr.A.Palaniappan for R2
in all WP.Nos

COMMON ORDER

These writ petitions have been filed to call for the records relating to the Award dated 30.04.2008 made in I.D.Nos.410, 417, 419, 422, 421, 414 of 2004 on the file of the first respondent and quash the same.

2. When the matter is taken up for hearing, a joint memo of compromise dated 27.04.2023 duly signed by the parties and their respective



counsel has been filed. The parties are also present before the Court and Demand Draft bearing Nos.829859, 829856, 829855, 829861, 829858 & 829857 for a sum of Rs.5,04,480/-, Rs.3,22,050/-, Rs.3,01,128, Rs.5,63,342, Rs.4,34,230/-, Rs.3,82,396/- respectively have been handed over to the respective parties.

3. Learned counsel for the petitioner as well as the second respondent submits that these writ petitions may be disposed of in terms of the joint memo of compromise dated 27.04.2023. The said joint memo of compromise dated 27.04.2023 read as under:

“1. It is submitted that the above Writ Petitions were filed challenging the common Award dated 30.04.2008 passed by the 1st respondent in I.D.Nos.410, 414, 417, 419, 421 and 422 of 2004 in and by which the 1st respondent awarded reinstatement of the 2nd respondent in the above Writ Petitions with the same scale of pay. Pending Writ Petition, this Hon'ble Court was pleased to stay the operation of the Award dated 30.04.2008.

2. It is submitted that the 2nd respondent in the above Writ Petitions filed petitions under Section 17B of the Industrial Disputes Act, seeking direction for payment of last drawn wages pending the Writ Petitions. The said petitions were allowed and they were in receipt of last drawn wages during the pendency of the Writ Petitions.

3. It is submitted during the pendency of the above Writ Petitions,



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after much persuasion and negotiations, settlement was arrived at between the parties pursuant to which the 2nd respondent in the above Writ Petitions agreed to receive payment in full and final settlement of their claims. The quantum of the amount agreed to be received by them are annexed herewith. The Demand Draft in favour of the 2nd respondent in the above Writ Petitions are also annexed herewith.

3. The 2nd respondent in each of the above Writ Petitions have agreed to receive the payments in full and final settlement of their claim and they shall not make any further claims against the petitioner Management in future.

4. Under the above circumstances, it is prayed that this Hon'ble Court may be pleased to take the Joint Memo on record and dispose of the above Writ Petitions in terms of the Joint Memo and thus render justice”.

4. Accordingly the joint memo of compromise shall form part and parcel of the order and these writ petitions are disposed of in terms of the joint memo of compromise dated 27.04.2023. No costs.

27.04.2023

dpq
Index : Yes/No
Speaking Order : Yes/No



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J. SATHYA NARAYANA PRASAD, J.

dpq

To:

1. The Presiding Officer
Labour Court,
Coimbatore.

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27.04.2023