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W.P.No.9747 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.03.2023

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.No.9747 of 2010 and
M.P.No.1 of 2010

The Super Silk Handloom
Weaver's Co-operative Production
and Sale Society Limited,
rep. By its Special Officer,
No.14, II Agraharam,
Salem – 636 001.

... Petitioner

Vs

1.The Presiding Officer,
Labour Court,
Salem.

2.A.V.Soundrarajan (Deceased)

3.V.Sagunthala

... Respondents

(R3 substituted as LR of deceased
2nd respondent vide order dated 22.12.2022
in WMP.No.20482 of 2021 in W.P.No.9747/2010)

Prayer: Writ Petition filed under Article 226 of the Constitution of India,
praying for issuance of a writ of Certiorari calling for the records of the
order passed by the 1st respondent in C.P.No.44 of 2008 dated
31.08.2009, quash the same.



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For Petitioner : Mr.M.S.Palaniswamy

For Respondent : Mr.R.Selvakumar for R3
: R1 – Court
: R2 – Died

ORDER

Heard the learned counsel appearing for the petitioner and the learned counsel for the 3rd respondent.

2. It is now reported that the 3rd respondent has agreed to receive a sum of Rs.6,50,000/- in full quit of his claim in C.P.No.44 of 2008 on the file of Labour Court, Salem. A Settlement Memo dated 24.03.2023 signed by the petitioner and the 3rd respondent in the presence of their respective counsels is produced before this Court. It is further stated that the petitioner is permitted to withdraw a sum of Rs.2,00,753/- with accrued interest, which is lying to the credit of C.P.No.44 of 2008 on the file of Labour Court, Salem pursuant to the interim order passed in the writ petition earlier.

3. The learned counsel appearing for the parties reported that this writ petition may be disposed in terms of the Settlement Memo dated 24.03.2023.



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4. Accordingly, the Writ Petition is disposed of in terms of the Settlement Memo dated 24.03.2023. As per the terms of the memo, the 3rd respondent is permitted to withdraw the amount. No costs. Connected M.P. is closed.

30.03.2023

Index : Yes / No

Speaking Order : Yes / No

Note : Issue order copy on 03.04.2023

Sgl

To

The Presiding Officer,
Labour Court,
Salem.



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At the instance of the learned counsel for the petitioner, the Writ Petition is listed today under the caption "for being mentioned".

2. Learned counsel for the petitioner states that in paragraph 4 of the order dated 30.03.2023, this Court has permitted the third respondent to withdraw the amount. It is seen from the previous paragraphs as well as the terms of the settlement that the petitioner ought to have been permitted to withdraw the amount, instead of the third respondent. Accordingly, the words "third respondent" in paragraph 4 of the order dated 30.03.2023, shall be substituted with the word "petitioner".

3. In other respects, the order dated 30.03.2023 shall remain unaltered.

20.04.2023

Office to note: Issue order copy by 21.04.2023

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20.04.2023