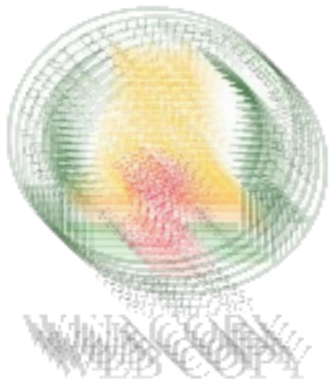




W.A. Nos.515 and 539 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2023

CORAM:
THE HON'BLE MR. JUSTICE S. VAIDYANATHAN
and
THE HON'BLE MR. JUSTICE K. RAJASEKAR

W.A. Nos.515 and 539 of 2022
C.M.P. Nos.11951 and 11955 of 2023

The Management
Swetha Engineering Ltd.
Plot No.123-131, Tass Industrial Estate
Ambattur
Chennai 600 098

Appellant in both appeals

v

N. Sridhar
M. Vasu

Respondent in W.A.No.515 of 2022
Respondent in W.A.No.539 of 2022

Writ Appeals filed under Clause 15 of the Letters Patent challenging the order dated 26.11.2021 passed in W.P. Nos.5478 and 5480 of 2020.

For appellant
in both appeals

Mr. K. Rangesh
for M/s. Jayaraman & Associates

For respondent
in both appeals

Mr. K.V. Shanmuganathan

COMMON JUDGMENT

Today, when these two writ appeals were taken up for hearing, both the Management and the two workmen were present and it was represented that the workmen and Management have entered into separate settlements under Section 18(1) of the Industrial Disputes Act, 1947. The settlements were also produced

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W.A. Nos.515 and 539 of 2022

before this Court, from which, it could be seen that both the Management and the workmen have signed therein. The relevant portions from the Settlements read thus:

W.A. No.515 of 2022:

“TERMS AND CONDITIONS OF THE SETTLEMENT

1 The Management do hereby pays an amount of Rs.5,00,000 (Rupees Five Lakhs only) to Mr. N. Sridhar as a lump sum compensation that includes all legal dues vide cheque bearing no.660008 dated 18.07.2023 drawn on State Bank of India, SIDCO Industrial Estate, Ambattur Branch, Chennai 600 050.

2 Mr. N. Sridhar do hereby agrees to receive the above amount as the full and final settlement from the Management without any demur or protest.

3 Mr. N. Sridhar do hereby asserts that he receives the above amount to his fullest satisfaction and further asserts that he has no further claims whatsoever against the Management.

4 Mr. N. Sridhar do hereby undertake that he will not make any claims against the Management on the basis of the award passed in I.D. No.47 of 2016 and shall not make any claims against the Management towards Gratuity and other legal dues that may be accruing to him.

5 Mr. N. Sridhar, having received the above amount from the Management to the fullest satisfaction, asserts further he is not willing to pursue the W.A. No.515/2022 for any further any adjudication.

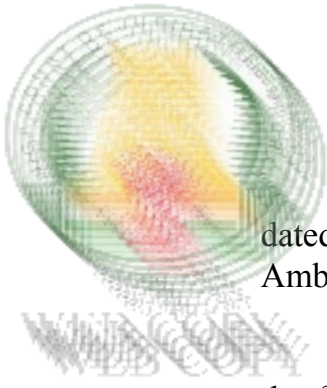
6 Mr. N. Sridhar he will not raise any dispute whatsoever against the Management in future either by himself or through any trade union.”

W.A. No.539 of 2022:

“TERMS AND CONDITIONS OF THE SETTLEMENT

1 The Management do hereby pays an amount of Rs.2,50,000 (Rupees Two Lakhs Fifty Thousand only) to Mr. M. Vasu as a lump sum compensation that includes all legal dues vide cheque bearing no.660009

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W.A. Nos.515 and 539 of 2022

dated 18.07.2023 drawn on State Bank of India, SIDCO Industrial Estate, Ambattur Branch, Chennai 600 050.

2 Mr. M. Vasu do hereby agrees to receive the above amount as the full and final settlement from the Management without any demur or protest.

3 Mr. M. Vasu do hereby asserts that he receives the above amount to his fullest satisfaction and further asserts that he has no further claims whatsoever against the Management.

4 Mr. M. Vasu do hereby undertake that he will not make any claims against the Management on the basis of the award passed in I.D. No.48 of 2016 and shall not make any claims against the Management towards Gratuity and other legal dues that may be accruing to him.

5 Mr. M. Vasu, having received the above amount from the Management to the fullest satisfaction, asserts further he is not willing to pursue the W.A. No.539/2022 for any further any adjudication.

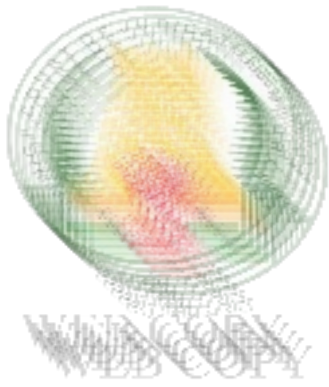
6 Mr. M. Vasu he will not raise any dispute whatsoever against the Management in future either by himself or through any trade union.”

It is open to the workmen to approach this Court in the event of the cheques issued to them being dishonoured.

2 These writ appeals stand disposed of in the above terms. Connected C.M.Ps. are closed. No costs.

(S.V.N., J.) (K.R.S., J.)
31.07.2023

cad



W.A. Nos.515 and 539 of 2022

S. VAIDYANATHAN, J.

and

K. RAJASEKAR, J.

cad

Common order in
W.A. Nos.515 and 539 of 2022

31.07.2023