



WEB COPY



W.P.Nos.5065 & 10258 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.Nos.5065 & 10258 of 2022

and

W.M.P.No.5177 of 2022

W.P.No.5065 of 2022

The Management,
New Generation Media Corporation Private Limited,
Plot No.25-A, N P Thiru-vi-ka Industrial Estate,
Ekkattuthangal, Guindy (Post), Chennai – 600 032. ... Petitioner

Vs.

Sathish A ... Respondent

W.P.No.10258 of 2022

A.Sathish ... Petitioner

Vs.

The Management,
Chief News Editor,
Puthiya Thalaimurai Television,
No.25A, Ekkattuthangal,
N.P.Industrial Estate,
Chennai - 600 032. ... Respondent

Prayer in W.P.No.5065 of 2022 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, to quash the



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order passed by the III Additional Labour Court, Chennai in O.P.No.176 of 2019 order dated 26.10.2021.

Prayer in W.P.No.10258 of 2022 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling records from the III Additional Labour Court, Chennai relating to the impugned award dated 26.10.2021 in O.P.No.176 of 2019 and quash only that portion of the award denying 75% of back wages from the date of termination till the date of award and without attendant benefits for the non-employment period and direct the respondent to pay full back wages and other attendant service benefits and award cost.

W.P.No.5065 of 2022

For Petitioner : Dr.V.Venkatesan

For Respondent : Mr.S.Ravi

W.P.No.10258 of 2022

For Petitioner : Mr.S.Ravi

For Respondent : Dr.V.Venkatesan

COMMON ORDER

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

2. The petitioner in W.P.No.5065 of 2022, who is the respondent in

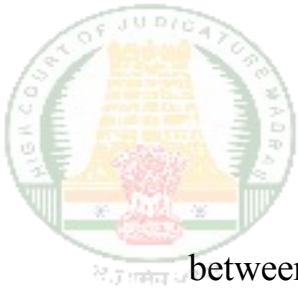


W.P.Nos.5065 & 10258 of 2022

W.P.No.10258 of 2022, is hereinafter called as 'management' and the respondent in W.P.No.5065 of 2022, who is the petitioner in W.P.No.10258 of 2022, is hereinafter called as 'workman'.

3. The workman was appointed as Camera man in the management on 18.04.2011 with a salary of Rs.38,500/- per month. While so, the management found that, during the course of employment, the workman had also worked in private functions by doing videography for marriages and other functions without the permissions of the management, thereby, his service was terminated. Challenging the same, the workman had raised an industrial dispute before the Labour Court in O.P.No.176 of 2019 and the Labour Court passed an award for reinstatement with 25% back wages from the date of termination till the date of award without attendant benefits of the non-employment period. Aggrieved by the same, the above writ petitions have been filed before this Court.

4. When these matters are taken up for hearing today, the learned counsel appearing for the management as well as the workman fairly submitted that, the issue involved in these writ petitions has been settled in



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between the parties and the management has agreed to pay a sum of Rs.6,50,000/- to the workman/A.Sathish, as one time settlement in addition to Gratuity and Provident Fund.

5. In view of the above settlement arrived between the parties, these writ petitions are disposed of with the following terms :-

(i) the management is directed to pay a sum of Rs.6,50,000/- (Rupees Six Lakhs Fifty Thousand only) in full quit to the workman/A.Sathish, within a period of four weeks from the date of receipt of a copy of this order;

(ii) If the management has block listed the workman, that may be removed, enabling the workman to get other job.

6. With the above directions, these Writ Petitions are disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

27.07.2023

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



W.P.Nos.5065 & 10258 of 2022

The III Additional Labour Court, Chennai.



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M.DHANDAPANI, J.

sp

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