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W.P.No.3351 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.3351 of 2018

And

W.M.P.Nos.17065 and 17067 of 2019 and 4101 of 2018

M/s.Linea Fashions (I) Pvt. Ltd.,
Represented by it's DGM-HR
D.Martin

... Petitioner

Vs.

1.The Presiding Officer
II Additional Labour Court,
Chennai.

2.E.Parthasarathy

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records of the first respondent in I.D.No.32 of 2014 order dated 30.11.2017, quash the same.

For Petitioner : Mr.S.Makesh
For Respondents : R1 – Labour Court
Mr.P.Solomon for R2

O R D E R

The petitioner has filed this writ petition seeking issuance of



W.P.No.3351 of 2018

Writ of Certiorari calling for the records of the first respondent in I.D.No.32 of 2014, dated 30.11.2017 and to quash the same.

2.On 13.09.2023, when the matter was taken up for consideration, the learned counsel appearing for the petitioner submitted that the second respondent committed serious offence and hence the petitioner Management initiated departmental enquiry and dismissed him from service. Thereafter, the second respondent raised industrial dispute before the Labour Court and the Labour Court passed award directing the petitioner to reinstate the second respondent with continuity of service, backwages and all other attendant benefits. Challenging the same, the petitioner has filed this writ petition.

3.The learned counsel appearing for the petitioner further submitted that during the pendency of this writ petition, the petitioner held negotiation talks with the relative of the second respondent and the petitioner is inclined to pay a sum of Rs.3 Lakhs as full and final settlement to the second respondent.

4.The second respondent appeared before this Court on



W.P.No.3351 of 2018

13.09.2023 and agreed to receive the amount of Rs.3 Lakhs by way of demand draft.

5.In view of the consent view expressed by the learned counsel appearing for the petitioner as well as the second respondent Workman, this Court was inclined to modify the award passed by the first respondent in I.D.No.32 of 2014, dated 30.11.2017 as follows:

(i)The petitioner Management is directed to pay a sum of Rs.3,00,000/- (Rupees Three Lakhs Only) as full and final settlement to the second respondent by way of demand draft, within a period of one week from the date of receipt of a copy of this order.

6.However, the learned counsel appearing for the petitioner submitted that the demand draft for a sum of Rs.3 Lakhs will be handed over to the second respondent on 14.09.2023 itself.

7.Hence, on 13.09.2023, Registry was directed to list this writ petition 'for reporting compliance' on 14.09.2023.

8.Accordingly, this writ petition is today (14.09.2023) listed under the caption 'for compliance'.



W.P.No.3351 of 2018

M.DHANDAPANI,J.

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9.In compliance of the order dated 13.09.2023, the learned counsel appearing for the petitioner handed over demand draft bearing no.747713 dated 05.09.2023, drawn for a sum of Rs.3 Lakhs to the second respondent today (14.09.2023).

10.In view of the above, this writ petition is closed. No costs. Consequently, the connected miscellaneous petitions are closed.

14.09.2023

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Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

To

1.The Presiding Officer
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